## United States Court of Appeals for the Second Circuit



**APPENDIX** 

# 76·1110

B P/s

## United States Court of Appeals For the Second Circuit

THE UNITED STATES OF AMERICA,

Appellee,

-against-

JOSEPH STASSI, a/k/a JOE ROGERS et al.,

Appellant.

On Appeal From The United States District Court For The Southern District Of New York

## Appellant's Appendix

(Vol. II-Pages 304-698)



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304 Perna - redirect 702 1 ipas nothing to do with my impeachment. 2 MR. NESLAND: You cannot state my client was 3 approached by this Perna on a number of occasions, and he said, "I don't want to deal in narcotics." You can't 5 make that argument. MR. NADEN: Fair enough. 7 8 (In open court) THE COURT: All I can say, ladies and 9 gentlemen, I think we saved more time than we lost. I don't 10 know. 11 MR. NESLAND: My only confession, your Honor, 12 13 14

I don't know where I left off. Never mind, I know where I was.

#### BY MR. NESLAND:

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Now, you testified about an interview or questioning you had with Special Agent Bradley after your arrest from the escape in October or November of 1974. Were you questioned about this case or the facts of this case at that time by Special Agent Bradley?

- Yes, sir.
- And did you tell him about the facts and circumstances of this case?
  - Yes, sir. A
  - Would you please tell the Court and jury what you

told him about this case at that time as best you can recall it.

A I explained to the agent that I had been in partnership with Verzino, that the partnership started in Atlanta prison, how we then met with Otvos, then spoke to Otvos, and then spoke with Joseph Stassi, and set up a connection with his brother and I eventually met his brother and Bubby Sorenson.

Q Did you tell him anything else that had developed after these initial meetings?

MR. GABLAND: May it please the Court, we would object to it on the basis of inadmissible inconsistent statements on the basis that it was only gone into on dates of alleged transactions. If he was going to tell him it was a correct date of '72 or '71, I think it would be admissible. If it goes beyond that to rehash his direct, I don't think it is. I would object.

THE COURT: Well, the mere fact that he told him before doesn't make it any more truthful than he is saying it now. It is obvious. The only purpose that this is admissible at all is to clear up any misunderstanding that may have arisen from cross-examination.

MR. NESLAND: May I approach? I believe it goes further.

			300	748
T2 am	1	jps	•••	
	2		(In open court.)	
	3		THE COURT: You may proceed	1.
	4		MR. SEAR: At this time the	e Government would
	5	call Joseph	Condello to the stand.	
	6			
	7	JOSEPH	CONDELLO, ca	lled as a witness
	8	by the	e Government, being first d	uly sworn, testified
	9	as fo	llows:	
	10		THE COURT: This is a very	big room, and it has
	11	very bad ac	oustics. Keep your voice	up.
	12	DIRECT EXAM	INATION	
	13	BY MR. SEAR	:	
	14	Q	Mr. Condello, how old are	you?
	15	A	37.	
	16	Q	Have you ever been convict	ted of a crime?
	17	А	Yes, I have.	
	18	Q	Approximately how many time	mes?
	19	А	I believe four, sir.	
	20	Q	And what was the first ti	me that you were
	21	convicted	of a crime, approximately?	
	22	A	When was the first time?	
	23	Q	Yes, sir.	
	24	A	I believe in 1958.	
	25	Q	And what was that for, si	r?

1	ps12 Condello - direct
2	on the boardwalk over there. That was around, maybe
3	four months, three-four months ago. I'm not sure.
4	Q Mr. Condello, are you acquainted with anybody
5	in this courtroom besides myself and Mr. Nesland?
6	A Yes, I am.
7	Q And who is that?
8	A Joseph Stassi.
9	Q Would you point out the man you know as Joseph
10	Stassi?
11	A The fellow with the glasses here with the blue
12	tie on.
13	MR. SEAR: May the record reflect that he has
14	made the identification, your Honor?
15	THE COURT: Is that conceded that he has
16	identified Stassi?
17	MR. GARLAND: Yes, he's identified him.
18	THE COURT: Anybody else?
19	THE WITNESS: Yes. William Sotenson, also
20	known as Bubby.
21	Q Point Mr. Sorenson out?
22	A He's got the brown and white plaid sport jacket
23	on.
24	MR. SEAR: May the record reflect that he has
25	made the identification.

		308	760
1	ps13	Condello - direct	
2		MR. NADEN: Yes.	
3	Q	Anyone else?	
4	A	Anthony Stassi.	
5	Q	Would you point him out to the (	Court and jury?
6	A	He's leaning on his hand.	
7		MR. SEAR: May the record reflect	ct that he has
8	made the id	entification.	
9		MR. KADISH: Yes. He said son	mething
10		THE COURT: He is leaning on his	s hand.
11		MR. KADISH: Oh, leaning on his	hand.
12		THE WITNESS: Excuse me, may I	say something?
13		When you say acquainted, like,	there is one
14	gentleman t	here that I haven't spoke to but	I know nim
15	as		
16	Q	We'll get into that.	
17		MR. KADISH: Your Honor, I would	d like that
18	cleared up	for the record.	
19		THE COURT: He says he'll clear	it up.
20	Q	Where did you first meet Joseph	Stassi?
21	Λ	Atlanta Federal Penitentiary.	
22	Q	Now, when were you in At'anta F	ederal
23	Penitentia	ry?	
24	А	1968, '69, '70 and part of '71	and part of

'72 in that break, I went to Lexington, Kentucky for a

11	
	762
1	ps15 Condello - direct
2	preparing you for adjustment to the street. You get a
3	job and you are supposed to sleep there at night and on
4	the weekends they give you a pass to go home with your
5	families.
6	Q While you were at the Halfway House, did you
7	stay there at night?
8	A When I first got there, I did. But fter that
9	I used to just check in and check right out.
0	THE COURT: This was contrary to regulations
1	I assume?
2	THE WITNEST: Yes, your Honor. I had a
3	connection in the place where he used to just say that I
4	was there.
5	Q When you say in connection, you mean somebody
6	that worked there?
7	A Yes, sir.
8	Q Now, Mr. Sorenson, when did you first meet
9	him?
00	A Atlanta Federal Penitentiary.
1	Q While you were in Atlanta Federal Penitentiary
2	did you associate frequently with Joseph Stassi? When I
3	say associate, did you have conversations with or do things

I never did anything with the man, like

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with him together?

1	ps16 Condello - direct
2	I was, you know, in his company but never like really
3	friendly every day or something.
4	Q How about Mr. Sorenson?
5	A Yes. I seen him every day.
6	Q And when did Mr. Sorenson get out of jail, if
7	you know, get out of Atlanta?
8	A I believe it was around March of '70.
9	Q Now, Mr. Anthony Stassi, when was the first time
10	that you saw him?
11	A I seen him at a restaurant sitting in a
12	restaurant with Mario Perna.
13	Q Is that the first time that you remember seeing
14	him?
15	A No, it is not the first time. I had seen him
16	once in Atlanta Federal Penitentiary when he came to visit
17	his brother, Joseph.
18	THE COURT: Did you talk to him on that
19	occasion?
20	THE WITNESS: No, I didn't, sir.
21	MR. GARLAND: I'm sorry, Judge. What did you
22	ask him?
23	THE COURT: Did he talk to him on that
24	occasion. A d the answer, "No, I didn't."
25	MR. KADISH: May we have the date?

1	mcas	Condello - direct 766
2		THE COURT: You seemed to get on his nerves?
3		THE WITNESS: No, he used to get on everyone
4	else's	nerves.
5	Q	Are you acquainted with a man by the name of
6.	Thomas	Kapatos?
7	A	Yes, I am.
8	Q	Where did you meet him?
9	A	Atlanta Federal Penitentiary.
10	Q	How much, if at all, did you associate with
11	Kapatos	while you were there?
12	A	Not too much. I've seen him and spoke to him,
13	but not	often, and I tried to keep away from him.
14	Q	Did Thomas Kapotos go by any other name?
15	A	Yes, they call him The Greek.
16	Q	Did Joseph Stassi go by any other name?
17	A	Yes, they call him the old man.
18	Q	Did you ever use the term the old man?
19	A	At times.
20	Q	Who did you refer to by the term the old man?
21	A	Joseph Stassi.
22	Q	Did Mario Perna ever use the term the old man?
23	A	Yes, he did.
24	Q	Who did he refer to by that name?
25	A	Joseph Stassi.

1	mcas	Condello - direct 767
2	Q.	Did William Sorenson ever use the term the old
3	man?	
4	A	Yes, sir.
5	Q	Who did he refer to by that name?
6	A	Sometimes he'd say Joe Stassi and I would under-
7	stand the	conversation where he was referring to him,
8	and once	in a while he would also say Tony Stassi.
9	Q	When you say you would understand, what did he
10	say?	
11	A	Well, "I seen the old man," or he went down to
12	see the o	old man.
13	Q	While you were in Atlanta penitentiary, were you
14	acquainte	d with a Frenchman by the name of Jean Claude?
15	A	Yes, I was.
16	Q	Did you know his last name at that time?
17	A	No, I didn't.
18	Q	Do you know his last name today?
19	A	No, I don't.
20	Q	How much did you associate with this Frenchman?
21	Λ	ery little.
22	Q	When you were down in Atlanta, where did you
23	first liv	we when you were there?
24	A	In B block.
25		How long did you stay there?

1	mcas	Condello - direct	769
2	Q W	Tho was involved in those conversations?	
<b>V</b> 3	A M	Mario Perna, Tony Verzino and William Soren	ison
4	Q H	low many such convertations were there, to t	he
5	best of you	r recollection?	
6	A I	don't know. They used to talk every day.	
7	Like someti	mes I just didn't pay attention.	
8	Q D	oo you remember the specific dates on which	1
9	those conve	ersat ons occurred?	
10	A A	No, sir.	
11	M	MR. KADISH: Can we have a year?	
12	M	MR. SEAR: We do have a year.	
13	Т	THE COURT: Give them the year again.	
14	T	THE WITNESS: Between 1969, the end of 1969	an
15	the beginni	ing of 1970.	
16	Т	THE COURT: But you don't know the dates?	
17	Т	THE WITNESS: No, sir.	
18	T	THE COURT: Do you know the months?	
19	Г	THE WITNESS: The months like around the	е
20	end of 1969	, like December, January, around that time	e.
21	7	THE COURT: December or January, he said.	
22	r	THE WITNESS: It was leading up to Mr. Will	liam
23	Sorenson's	release.	
24	1	MR. NADEN: Your Honor, I can't hear.	
25		THE COURT: When I ask you a question you,	

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he will do that?

THE COURT: That is true. That is obvious.

MR. GARLAND: If he understands it.

THE COURT: I think the jury understands.

Proceed.

Do you remember the question, Mr. Condello?

No, sir.

THE COURT: Start again.

Q Was there any discussion about the source of the narcotics and then, to be very clear for everybody, I'm referring to conversations around the same time period, late 1969, early 1970, conversations that you previously testified about.

A Yes. They say that there way --

Q Who was present when they talked about the source of the narcotics, to the best of your recollection?

A Anthony Verzino, William Sorenson, Mario Perna and myself.

Q Tell the Court and the jury, to the best of your recollection, what was said about the source of the narcotics.

A They was talking about the goods coming from France and they just, like, they said the shipment would come from France through Canada. That is all I know.

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THE COURT: Do you remember who said what?

THE WITNESS: No, your Honor. The reason that -like I wouldn't pay attention to who said it or anything is because I wasn't involved. I used to just hang out with these people. I wasn't making money with this thing. I really wasn't that interested. I was just sitting there and conversation was going on.

Q So the record is clear, was Mr. Joseph Stassi involved in any of these conversations himself, personally?

No, sir.

Did there come a time when you heard whether or not this plan to bring in heroin had been successful?

MR. GARLAND: Objection.

MR. KADISH: Objection.

MR. GARLAND: Leading. With this kind of witness he should say: Was there any other conversation concerning narcotics? Yes. What was said. The man can reply.

MR. SEAR: Your Honor, I --

MR. GARLAND: Let me make my objection.

THE COURT: Overruled.

M.R. GARLAND: He should say to him: Was there any other conversation about narcotics; when, where, who was present; what was said. Anything else is to suggest an answer. We respectfully make that request.

question.

A All I know is that, you know, it was warm around

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the time Mario came and spoke to me.

Q Who was present at these conversations?

Now, I am trying to bring you back and we are talking about conversations as to whether or not the occurrence, action, or venture had been successful.

MR. NADEN: I object to that. There has been no testimony about a venture.

THE COURT: Correct the word venture.

A It was Mario who had come to me. It was just Mario and myself on this specific conversation.

- Q Do you remember where it took place?
- A Yes, it was up in the dormitory.
- Q Do you remember the general substance of what was said?
  - A Yes.
- Q Tell the Court and the jury to the best of your recollection what was said and by whom.

A In this period of time, when Sorenson had left,
Mario and Tony Verzino was waiting for an answer to see
if the shipment came through yet. They was waiting
for the shipment from France of heroin, and they was waiting
every day to hear something, and just this one day Mario
came to me and says, "Everything is all right. We are on
our way. That stuff came in."

and it was Danny Grillo, Tommy Kapatos and Joseph Stassi

All he can testify is to what he said.

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He had said, "Maybe it is for the best not to knock out Verzino because his girlfriend, Suzie, was on the

street and she" --

MR. NESLAND: I ask Mr. Stassi to stop commenting.

THE COURT: You are going to have to be removed

from the courtroom if you keep this up, Mr. Stassi.

Q You can continue.

A He says, "Maybe it is for the best that Warzing doesn't get killed right now because his girlfr doesn't get killed right now because his girlfr doesn't get killed right now because his girlfr doesn't girlfr doesn't

MR. KADISH: I didn't hear the last statement.

THE COURT: The Greek was going to take care of the Swede when he got out.

MR. KADISH: That he owed him money?

THE COURT: The Swede owed him money.

A The Swede was supposed to be involved with Sorenson -- was supposed to be involved like with the money from the shipment of narcotics.

MR. NADEN: Is this witness testifying of his

Q Do you recall the general substance of what

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was in the conversation.

was said by you and Mr. Joseph Stassi?

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Yes.

Tell the Court and the jury to the best of your recollection what was said and by whom.

A I came down and I was just finished shaving and everything because I was being released that day and I got the message sent to me up in the dorm. I went downstairs and Joe was sitting, a eph Stassi was sitting at the sewing machine where he worked.

THE COURT: He worked there?

THE WITNESS: Yes.

And I walked in. I said, "Hello, Joe," and I says, "Did you want to see me?"

He says, "Yes, I wanted to talk to you."

He says to me, like --

THE COURT: Keep your voice up.

He said, "I don't know your intentions" --A MR. KADISH: Can we wait one second for the siren?

THE COURT: Yes.

He had said, "I don't know what your intentions are when you get out, like if you are going to do the right thing or still doing what you are doing, but if you are still going" -- in other words, be bad, like, whatever you want to call it --

THE COURT: Be bad?

THE WITNESS: Like, in other words, still keep stealing or whatever.

That he would, you know, get in to hear me like to see his brother Tony and I could get into, you know, with the narcotics where I can at least earn good money, and that was the topic of it.

He also took -- I wrote my name down, my phone number and my address and he had told me, "I will get in touch with you," and that was it.

- Q After this time period, did Tony Stassi ever get in touch with you about this?
  - A No, he did not.
- Q After you got out of Atlanta and went back to

  New York and went to the halfway house, did you associate

  with any of your former friends from Atlanta?
  - A Yes, I did.
  - Q Who are those people?
  - A Mario Perna, Danny Grillo, William Sorenson.

A Atlanta Federal Prison.

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Stassi?

Q When was the last time that you saw Joseph

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1	ps2 Condello - direct
2	THE COURT: The day you left?
3	THE WITNESS: The morning of my release, yes.
4	MR. KADISH: What was his last answer?
5	THE COURT: The morning he was released.
6	Q When was the last time you saw Anthony Verzino?
7	A At Atlanta Federal Penitentiary.
8	Q And when was the last time you had any com-
9	munication with Anthony Verzino?
10	A At Atlanta. That's the only time.
11	Q When was the last time you saw William Sorenson?
12	THE COURT: Keep your voice up.
13	A I was at his bar at one time over there.
14	Just stopped and I left.
15	Q When was it
16	MR. KADISH: I cannot hear him.
17	THE COURT: Talk to that gentleman way back in
18	the corner of the courtroom.
19	When was the last time you saw Sorenson?
20	Q With reference to let's put it in reference
21	to the arrest of Mario Perna?
22	A It was before then.
23	MR. SEAR: The Government has no more questions.
24	THE COURT: You have never been to the
25	Atlanta Federal Penitentiary since the morning of your

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#### Condello - cross

THE COURT: Did not.

MR. NESLAND: He answered that twice.

MR. GARLAND: I wanr to make sure I understand him. I'll move on.

nim. I II move on.

Q The answer is clear, and I understand you that you didn't have any.

A Yes.

Q Now, you testified here about a conversation you say occurred in the honor dorm, is that right?

A In the where?

Q In the honor dorm.

A Yes, sir.

Q If you don't understand my question, you make sure you ask me. And who was present at that conversation?

A Well, which one?

Q Your first conversation. You testified about a conversation where you said Kapatos was, which was the first time I take it, you never heard of anything like this going on?

MR. SEAR: Objection, your Honor.

MR. GARLAND: I'll withdraw that.

Q Tell us about the first time you heard anything about -- take your hand down and speak out.

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### Condello - cross

The first time you heard anything about there being some shipment of drugs going on between Sorenson and Perna, and anybody else, the Frenchman, when did you first hear about it?

A i don't know the dates. This was just upon Bubby's release, Sorenson's release.

- Q And where did this occur, if you recall?
- A At the dormitory.
- Q Was that the honor dormitory?
- A Yes.
- Q Who was present?
- A There was Sorenson, Perna, Verzino and myself.
- Q Now, that conversation you've testified about here earlier, didn't you?
  - A Yes.
    - O You recall that?
  - A Yes, I do.
- Q Now, is that the first time you heard anything about the subject matter in that conversation, that is about there being some shipment of drugs?

A Yes, it is. As far as them getting -preparing him to go to the street to see Tony Stassi and
get the business arranged, yes.

Q My question is, is that the first time you heard

#### Condello - cross

you and said	that	he	was	in	husiness	with	Perna	and	Stassi?
Do you deny	that?								

- A Yes, I do.
- O Do you realize you are under oath?
- A Yes.
  - O You deny that that didn't happen?
  - A Yes. I do.
    - O And anybody who says that, that is a lie? MR. NESLAND: Objection, your Honor.

THE COURT: Sustained.

- O How often did you go around in the daily activities with Mr. Verzino?
  - A Very little.
- O What did you do with him? Did you have any common interests with him?

A No, we was on a friendly basis. He used to run out of cigarettes, I used to loan him a few cartons of cigarettes, nothing where I was tight with him, that I would look for him.

- O How about Joseph Stassi?
- A No.
- O What activities, if any, did you have with Joseph Stassi?
  - A The people I hung out with used to speak to loe.

He'd be walking in the yard and someone might stop him and say hello, talk to him. I walked the yard with him and he was talking to me about Hoboken, that they used to call him Hoboken Joe.

- O You walked the yard with him on how many occasions?
  - A That I walked with him?
- O Yes, walked side by side where you could walk with him.
- A Very few. I would walk with my friends, and maybe one of my friends may be talking to him, making that conversation with him. I never talked to him so often:

  Hello, how are you.
  - O Just hello, how are you?
  - A Most of the time.
- O Do you recall the conversations that you testified to? Other than those conversations, did you ever have any other conversations with him?
  - A Yes, I did.
  - On how many occasions?
  - A One or two other conversations.
- O And over what period of time were you in there while he was there; how long were you in Atlanta Penitentiary?
  - A From 1968, 1969, 1970, part of 1971 and part of

A I didn't hear you.

	004	
1	5 mcsr Condello - cross 866	
2	Q Was the other conversation	
3	MR. NADEN: Can we go to the bench? I'm terrib	11
4	sorry, your Honor, but this is important.	
5	THE COURT: You make a note as of now.	
6	Q Was the other conversation with Joseph Stassi	
7	before or after the conversation with Sorenson, with Perna	
. 8	and Verzino in the honor dorm?	
9	A Before.	
10	Q Before?	
11	A Yes.	
12	O How long before?	!
13	A I don't recall.	
14	O Other than that one that was before the conversa	
15		
16	tion in the honor dorm, the one when you say you were leavi	•1
17	and the one at the bleachers, the one about Hoboken, do you	
	recall any other?	ı
18	A That me and him were just sitting do and	i
19 .	talking?	
20	Q Talking about some subject matter.	1
21	A I have spoken to the man a few times but nothing	•
22	serious like that.	
23	O Nothing that you can remember the subject matter	
24	of?	;
25	A You want to know the subject? I haven't spoken	
		1

- 1			. 00	00		
1	ps4		Condello	- cross		901
2		THE COU	RT: For	your person	nal use.	
3		THE WIT	NESS: N	othing.		
4	Q	People	were giv	ing it to yo	ou?	
5	А	I had i	t, I was	dealing wi	th it.	
6	Q	I see.	You h	ad to buy wh	nat you sold	1?
7	А	Pardon	me?			
8	Q	You had	to pay	for what you	bought and	i sold?
9	A	Right.				
10	Q	Do you	know Duc	kie Fontann	a?	
11	A	Yes, I	do.			
12	Q	How do	you know	Duckie Fon	tanna?	
13	A	He used	to be a	partner of	mine.	
14	Q	When we	ere you a	partner of	Duckie Fon	tanna?
15	A			o Atlanta P		
16	Q			he time tha		
17				elated anyt		
18				he Atlanta	Penitentiary	,
19	with Ver	zino and St			,	
20	A		as what?			
21	Q		rst time	you ever ma	de //ny state	ements
22	about th		inm. m-			
23		THE COU	JRT: TO	an agent?		

with Agent Bradley. I think it was around, I guess,

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THE WITNESS: When I first started cooperating

		236	902
1	ps5	Condello - cross	302
2	October.	I started telling him the way ever	ything
3	started how	I got involved with all these peop	ole. How
4	I knew them	, and I told him everything I know	today.
5	Q	You told him this is the kind of t	hing "I can
6	give you"?		
7	A	I told him I can give him my two	connections,
8	and I told	him how different things came about	in the
9	prison and	how I started knowing them.	
10	Q	Your two connections with who m?	
11	A	Merio Perna and Ernie Malizia.	
12	Q	That was the source from which you	were getting
13	your hercin	17	
14	A	Yes, it was.	
15	Q	During what period of time did you	receive
16	heroin from	them?	
17	A	Up until my arrest when I started	getting the
18	heroin up	intil my arrest.	
19	Q	Until the time you were in the Ha	lfway Houe?
20	A	I didn't get no heroin when I was	in the
21	Halfway Hou	ise.	
22	Q	When did you get out of the Halfwa	ay House?
23	A	Some time after November.	
24		THE COURT: How soon after that d	id you start

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getting heroin?

		-
-	-	~
D	5	O
_	-	-

## Condello - cross

THE WITNESS: I started with the pills and then I went to marijuana and finally made a connection for heroin.

THE COURT: When did you make a connection for that?

THE WITNESS: I believe it would be like in March of '73, around that time.

Q And of course you testified here that that heroin, you were receiving from Perna and Malizia, had nothing to do with Joseph Stassi?

A Yes, right.

Q And you decided, did you not, that you would do what you could to try to get out of it by supplying this information?

A Yes, I did.

Now, when did the conversation first come up that you would be able to get out of it when was that first mentioned to you?

A Well, I spoke to Agent Bradley and to Carlo

Boccia in October and like, it was, they waited to see

what type of information I had, and then to see if I would

go through with what I proposed to them. And once I

started doing what I had to do, they told me they would go

to bat for me as much as possible.

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there?

A He was talking about Verzino, about Mario, about strychnine, also about hitting Verzino, killing him and Tommy Kapatos was mad because Mario didn't take care of what he was supposed to and then Joe said, "Maybe it is for the best with Tony in the prison and Suzie outside, if Tony gets hit inside, Suzie would know plenty of what's going on and she could spill her guts."

Q It is your testimony that Joseph Stassi sat there and discussed it with you sitting where you could hear it?

- A The man did not discuss it with me.
- O How far away were you?
- A I was right sitting like we were all together.
- Q Like as close as I am to Mr. Nesland?
- A Yes, sir.
  - Q What did Mr. Kapatos say?
- A Concerning what?
  - Q Did he mention the strychnine?
  - A I just told you that.
  - O What were the words he used, that you recall?
  - A I can't use the words he was using.
- Q Well, give us your best estimate of the words he used?

Condello - cross	Con	de	1	10	-	C	r	C	S	S
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PSI

A He was hot, he was mad.

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any words that you heard him say?

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THE COURT: Try to think, if you can, think of

THE WITNESS: I don't know exact words, your

Honor. The man used profanity like anybody else would that had malice towards someone.

MR. NESLAND: Your Honor, if he wants to hear the profamity, this man wants to deliver it that way and defense counsel is asking for it, tell him the conversation as you recall it.

- Q If you remember it. First, do you remember the specific words of Kapatos?
  - A Kapatos used to use one word regularly.
  - Q Would you answer my question, sir.

Do you remember the conversation?

THE COURT: Yes, he remembers at least one specific word.

Do you want to hear it?

MR. GARLAND: Yes.

THE COURT: What's the one specific word?

THE WITNESS: Motherfucker.

0 What else do you remember about the use of that word?

A About Perna, about sending in the strychnine

1	ps17	Condello - cross	914
2	Λ	I told you everything else.	
3	Q	Now what else was	
4		THE COURT: This thing about "spill	ing guts",
5	who used tho	se words?	
6		THE WITNESS: That was Joe, Joe Stas	si.
7	Q	Now, what other words were used?	
8	. A	I told you just what I remember.	
9	Q	I want you to go back over them.	
10		THE COURT: He's entitled to have you	u repeat it
11	If he wants	you to, he can have you repeat it.	
12	Q	Repeat your story?	
13	A	Kapatos was talking about the strych	nine, and
14	he said, "Th	at motherfucker didn't take care of	what he
15	had to do wi	th the strychnine."	
16		Then Joe, like interrupted, "Well ma	lybe, it is
17	for the best	because if Verzino would have gotte	en whacked,
18	if Tony got	whacked in here, it could have brough	tht worse
19	results with	Suzie because she knows about the w	hole
20	business and	she would have spilled her guts abo	out that."
21	Q	Anything else? Was that it?	*
22	A	That's what I remember.	
23	Q	Do you recall any other discussions	about it
24	at that time	?	
25	A	Not that I recall.	

1	ps19 Condello - cross .
2	included in that conversation at that time?
3	A What do you mean included?
4	Q Did you ever have a discussion about that with
5	anybody else?
6	THE COURT: He is trying to say were you
7	surprised that Joe Stassi spoke in that manner before you,
8	is that your question?
9	MR. GARLAND: Yes.
10	THE WITNESS: No, I wasn't.
11	Q Did you have any conversations about giving
12	strychnine to anybody else in there?
13	A No.
14	Q With anybody?
15	A Not that I recall.
16	Q Did you report this to anybody at that time?
17	A No, I didn't.
18	Q Did you report it to Verzino?
19	A No.
20	Q When was the first time you reported that to an
21	agent of the Covernment, that conversation?
22	A When I started cooperating.
23	THE COURT: When?
24	THE WITNESS: Right after my arrest.
25	THE COURT: Shortly after your arrest?

Condello - cross ps20 1 THE WITNESS: Around October, I guess it was. 2 At the time you reported that conversation, 3 was the agent taking notes? 4 I know he was writing names down. 5 Did you use the word strychnine and Kapatos 3 as being the word strychnine that came out of his mouth ? 7 Yes, I used the word strychnine. A 8 Did you mention Joe Stassi? 0 9 Yes, I did. 10 As saying this conversation about Verzino? Q 11 Yes, I did. A 12 And this was in November of 1973, is that right? Q 13 THE COURT: November, 1973. 14 THE WITNESS: I'm trying to think. 15 When was it? You started in November of 16 1973, is that when you mentioned this conversation? 17 A I explained everything. I told him everything 18 that was true. How I got involved --19 THE COURT: Did you tell him all this the first 20 day or did these things come out bit by bit over a period 21 of time? 22 You remember this about the strychnine for 23 the first time, was it the first time that you told about 24

all you knew or some other time later on?

343 Condello - cross ps22 1 that you told him? 2 MR. GARLAND: Would you ask him to turn and 3 look at the jury and have him --4 MR. NESLAND: I object to that. 5 THE COURT: Please do not instruct the witness. 6 MR. GARLAND: I asked him to turn and look at 7 the jury. 8 THE COURT: Please do not instruct the witness 9 at any time. 10 MR. GARLAND: I thought your Honor had 11 finished. 12 13

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THE COURT: Now, the question and answer, try to figure out whether it was before January 1st that you told him this story.

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THE WITNESS: All I can say, is one thing, your Honor, the first day I had met with Agent Bradley, I mentioned Joe Stassi's name. I know the name was mentioned because I just was shown how I got tied up and which people I had known over there. But for me to remember -- like when I told -- I know it was early. When I first started cooperating because I was putting everything together and how they hated Verzino and everything else. But for me to specify a date, it is impossible.

344 9:20 Condello - cross ps23 1 THE COURT: Do you think it was before Christmas 2 of that year? 3 THE WITNESS: I can't answer that. 4 Q Do you think it was in the first three months 5 after Christmas? 6 MR. NESLAND: I object to this. He said 7 he couldn't remember. 8 MR. GARLAND: I am entitled to test this man's 9 memory about this claim of the use of the word strychnine, 10 and I think the jury is entitled to hear it. 11 THE COURT: I apologize, I didn't mean to --12 O Do you remember whether it was in the first 13 three months after 1974 when you first started cooperating, 14 that you first mentioned the word strychnine in Kapatos? 15 A In 1974 when I finished with Mario's case, 16 I wasn't doing anything except mentioning names. 17

Q You know when Mario was arrested, February 1st, 1974?

A I don't know if it was the 1st, but was February 1974.

Q February 1st, 1974 is when your good friend Mario was busted?

Yes.

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THE COURT: Then we have the word strychnine

Condello - cross ps24 1 coming out before Mario was busted. Q You related the conversation of the man 3 Kapatos before Mario was busted? 4 Yes. 5 Did you relate that conversation about the 6 visiting room? 7 The day you were leaving the penitentiary? 9 Yes, I did. 10 THE COURT: When did you first do that? 11 THE WITNESS: It was all -- your Honor, you see, 12 the problem is there that with all this going on, I was 13 making phone calls to Perna to set up to make a buy, and 14 then I was asking him questions, answering questions there. 15 It is hard for me to put these dates together. I can't 16 do it. 17 Q Some time before you got Perna busted, you 18 had given to the agents your claim that strychnine was 19 mentioned in the penitentiary, and you had given to them 20 your claim that Joe Stassi had a conversation with you the 21 day you left. You had given that some time before Perna 22

Yes, I did.

was busted, right?

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And you realized -- now, during that time before 0

[Jury present.]

Q Mr. Condello, you have testified concerning giving information to Agent Bradley. What do you recall saying about Joseph Stassi the first time you mentioned his name?

MR. NADEN: May I approach the bench or the side bar? It is very important.

THE COURT: All right.

[At the side bar:]

MR. NADEN: I am sorry to interrupt crossexamination, but what I am concerned about, Judge, is this
3500 material of November 21, 1973 in which this man told
Sorenson, stated that the old man had been to Atlanta,
Georgia to see his brother.

THE COURT: Where are you talking about?

MR. NADEN: Right here [indicating] that the old man had been to Atlanta Penitentiary.

I am concerned with my client's defense. It might be construed that this question opened the door to the introduction of the 3500 material as to a prior consistent statement.

THE COURT: We will deal with that when it comes.

In the meantime we will continue.

[In open court:]

Q What do you recall saying the first time you

mentioned Joseph Stassi's name to the agent?

A I start giving all the names that, you know -people that was supposed to be tied up the way he came
down.

THE COURT: What he wants you to do is to try to isolate everything as to what you said about Joseph Stassi, if you can.

THE WITNESS: I had told him about seeing him down the by the sewing machine on the day of my release.

THE COURT: This is your first conversation with Mr. Bradley?

THE WITNESS: This is my first conversation.

No, it is not my first conversation. I can't remember.

I know, like, I have given you a problem here with dates

but I can't say what was said on this day. There is too

many things involved.

Q Mr. Condello, did you talk with him a week before you first related somet hing about Stassi? Let me see if I can help you out. I will withdraw the question.

Who first mentioned Stassi's name? Were you asked: "Do you know anything about Stassi"?

A No, I wasn't asked that.

Q Were you asked: "Do you know anything about Anthony Stassi"?

## Condello - cross

A When I spoke to Bradley about my connections and everything, the first I mentioned, like, Perna and Malizia and then, like, I mentioned that there was supposed to be the shipment to Tony Stassi and then I mentioned that he had a brother Joe Stassi in Atlanta who had told me at one time that he would get in touch with me. I explained that. That this was all done on the first day, I cannot remember.

- Q Was that the first things you recall relating?
- A If I say yes to the first things, then I am telling you this was the first day.
  - O The first things about Stassi?
  - A You are still putting it on the first day.
- Q I'm not putting it on the first day. The first things about Stassi, whether you related them on the first day or the twentieth day or the fortieth da6 --

THE COURT: At some point you mentioned the name Stassi.

THE WITNESS: Yes.

THE COURT: He is trying to get in that conversation, whenever it was, that you first mentioned the name Stassi. What did you tell him, if you now remember? Can you answer that?

THE WITNESS: Well, the name Stassi come up when

I was telling him about Tony Stassi and then I said,

"His brother is in Atlanta, who used to deal like with

Mario and Tony, who were always walking in the yard with

Tony Verzino. That was normal.

Then I started explaining as I went on. I can't say it was this time and that time.

Q Then later you would amplify, add more facts about it or did you say it all the first time; can you answer that?

A Yes, I can. I didn't say everything the first time.

Q As you amplified on it did the amplification of what you were saying to him, the additional information, did that extend over a week, two weeks or all the way up to when Perna was arrested?

A Information concerning Stassi?

Q Joe Stassi. Or did you get it all out by that point in time or when did you stop adding to it?

A I would have to say that the first couple of months Joe Stasssi would have to be out of the picture here.

Q Is it correct that you kept adding information about Joe Stassi from your recollection of what had happened in the penitentiary for the first several months?

A No, he was out of the picture completely after

about Joe Stassi during all these activities, you had so

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much going on?

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Condello - cross

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THE COURT: The question is: Was it important to you that Agent Bradley write it down?

THE WITNESS: No, it wasn't.

- Q You were cooperating for the first time. Was it an important event to you?
  - A Was it important?
  - Q Yes.

A It is important if it would help me, but I wasn't making money where I would have an interest in what is being wrote down.

Q It is your testimony that it was not important?

MR. NESLAND: His testimony is not that.

MR. GARLAND: I am asking him what his testimony was. He asked "Was it important to me"?

THE COURT: It is important if it would help him, but as I gather, it wasn't important to whether Bradley was writing it down.

MR. GARLAND: The answer was, he said it was not important to him.

Q Was it important to you?

THE COURT: Was it important to you what you were doing, not the fact that he was writing it down or not writing it, but the fact that you were giving information in an effort to get yourself out of the problem.

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THE COURT: He doesn't know why it wasn't. written down. Stop asking ridiculous questions, because

it written down, if it wasn't.

		***	03
1	ks7	Condello - cross	
2	Q	How many years were you incarcerated in	
3	Atlanta?		
4	Α	'68, '69, '70, part of '71 , part of '72.	
5	()	About four years, right?	
6	Λ	About that.	
7	Q	1200 days or more, right?	
8	Λ	If that is what it figures out to, yes.	
9	Ω	There are 300	
10	Λ	I am not counting.	
11		MR. NESLAND: Your Honor	
12		THE COURT: Let's not get into this. A lor	ng
13	time.		
14	Q	It is your testimony, is it not, that out o	-
15	all that ti	me, the whole four years, the whole 1200-plus	3
16	days, the o	nly time Joe Stassi summoned you was the day	
17	of your rel	ease, he sent for you, was the day of your	
18	release?		
19	A	What do you mean by summon, there was no	
20	demand. H	e said he would like to see me before I	
21	leave.		
22	Q	The question was, Mr. Condello	
23	Λ	You didn't give me a question. You said	he
24	summoned me		

O Just listen.

## Condello - cross

The question was, out of that whole four years, out of that whole 1200-plus days, the only time you received word to come to see him was the very last day you were in that institution?

A Correct.

MR. KADISH: No further questions.

MR. NADEN: Your Honor, I am ready to inquire.

I suppose it is a good time for our recess.

THE COURT: I would like to finish yours first.
We will proceed.

If you are not ready to go, we will take a recess.

(Jury leaves courtroom.)

MR. NESLAND: Your Honor, I have one request.

I would ask that Mr. Naden try to avoid the kind of repetition in duplication that Mr. Kadish just went through. It is totally unnecessary.

MR. KADISH: I didn't duplicate anything.

THE COURT: I stopped you from duplicating one thing. It is difficult, I understand, but try to avoid duplication.

room, stay out of the witness room. Everybody except witnesses stay out of the witness room and don't look

other individuals in Atlanta?

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ally Tommy Kapatos and occasionally Joseph Stassi and

A Mario Perna, myself, Danny Grillo, occasion-

	109
1	ks7 Condello - redirect
2	Verzino.
3	Q Who did you associate with on a regular basis
4	while you were there?
5	A Mario Perna, Danny Grillo, Sorenson.
6	Q Yesterday you were questioned about some pills
7	which you looked for in your jacket pocket. You stated
8	to defense counsel that you wouldn't show it to them but
9	you would show it to the Judge. Why was that?
10	A Because my address is on there.
11	THE COURT: May the record show that I have
12	since seen the pills.
13	Q After you began to cooperate about October of
14	1973, were you ever told that you might have to testily
15	in a case involving Perna or Malizia?
16	A Yes.
17	Q When did that first occur to the best of your
18	recollection?
19	A Before I made the first buy with Agent Bradley
20	O When was the first time that this subject
21	of your testifying about the matters in this case was
22	ever discussed with you?

About two months ago, sir. Α

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When was the first time you ever talked with Q anyone, and by that, I specifically mean, any Assistant

	109
1	ks8 Condello - redirect
2	United States Attorney, from the United States Attorney's
3	office in the Southern District of New York?
4	A About two months ago.
5	Q On the occasions when you were interviewed by
6	Mr. Nesland and myself and during the time that you have
7	been here testifying, have you been in the company of
8	anyone on a regular basis?
9	A Yes, I have.
10	Q Who is that?
11	A Agent Bradley.
12	Q To this day, Mr. Condello, has anyone told you
13	what Mario Perna might or has testified to in this case?
14	A No, sir.
15	Q Has anyone told you what Mario Perna has said
16	about what went on down in Atlanta Federal Penitentiary?
17	A No, sir.
18	O Has anybody told you what Anthony Verzino has
19	said about what went on down at the Atlanta Federal
20	Penitentiary?
21	A No.
22	Q Has anybody told you what Anthony Verzino would
23	testify or might testify about in this case?
	No sir

Has anybody told you about what any witness

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	ks9 Condello - redirect
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2	might testify to or has testified to in this case?
3	A No, sir.
4	Q Yesterday, Mr. Condello, in response to a
5	question by Mr. Garland, you stated you were not afraid
6	of him but you were afraid of these people. Who did
7	you mean by these people?
8	MR. GARLAND: Objection as irrelevant as
9	being a volunteered answer.
10	THE COURT: Overruled.
11	THE WITNESS: Shall I answer the question?
12	THE COURT: Yes.
13	A Joseph Stassi, William Soreason and Tony
14	Stassi.
15	MR. SEAR: No further questions at this time,
16	your Honor.
17	RECROSS EXAMINATION
18	BY MR. NADEN:
19	Q Sir, you said you are afraid of William
20	Sorenson?
21	A Yes, 1 am.
22	Q And you are the man that went around with a
23	gun to kill him and took advantage of his hospitality?
24	A Yes, I am.
25	MR. GARLAND: Your Honor, I wish to approach

Government, being first duly corn, testified a follows:	
follows:	
RECT EXAMINATION	
MR. SEAR:	
O Mr. Bradley, what is your occupation.	
A I am employed as a special agent with the	Ġ.
deral Drug Enforcement Administration.	
o How long have you been so employed?	
A Approximately six years.	
O Did there come a time when you first let	Mr.
oseph Condello?	
A Yes. 1 met Mr. Condello in the very 1.	
Q Would you briefly tell the Court and 'ur	112
A I arrested Mr. Condello for violation co	
O Did there come a time when Mr andelle	1
A fes, during the latter part of cete'r.	
973.	
Q After he began to cooperate, and you a.	
re to	Mould you briefly tell the Cours and sure the circumstances of that meeting was?  A farrested Mr. Condello for violation of the course and sure the condense of the condense of the condense of the course of the condense of the course of the condense of th

- Q Was there any further conversation at that time?
  - A There was some social conversation during that time period. I recall Mr. Condello asking Mr. Sorenson if he had heard from the old man. Mr. Sorenson stated he hadn't heard from him recently but the old man was supposed to visit his brother. And he more or less told Mr. Condello, don't worry about it.
    - Q What was the social conversation about?
  - A I believe Mr. Sorenson had attended a funeral that evening.
  - Q What happened next?

maybe an hour and a half. We'then left the bar and told Mr. Sorenson maybe we would see him later that evening. He stated he would probably be at Delmonico's or the Town House after he dropped his wife off. We subsequently left the bar and went to the Town House. It is a bar also, I think, on 4th Avenue. After being there for a short period of time, I told Mr. Condello to call Sorenson on the plane. He went over to the phone. He came back and said, Let's go to Delminico's instead. We went to Delmonico's and approximately like fifteen or twenty minutes later Mr. Sorenson came in the bar. He introduced us to a woman sitting at the bar, I think her

1 jpas Bradley - direct 1106 2 THE COURT: They have nothing to do with these 3 defendants here? 4 MR. SEAR: That's correct. 5 THE COURT: In other words, he is saying, you 6 remember, Perna was engaged in a wholly independent 7 enterprise, and has nothing of do with the charges made 8 in this case. That is according to his own testimony. 9 Q Did you later learn the real name of that 10 individual that they referred to as Harry? 11 Yes. It was Ernest Malizia. 12 Was there any other conversation? A Yes. Condello asked Perna if he heard anything 13 14 about the shipment that Sorenson was expecting in. Perna stated that a shipment had been called off by Joe. 15 16 And that Tony and Bubby had wasted a lot of money and didn't 17 have a lot of money to purchase the narcotics now. 18 Q Was there any other conversation? 19 A I'm not certain. There was some general 20 conversation regarding, I think, Perna's pending cases in 21 Florida. 22 Q Now, did there come a time when Mr. Perna was

A Yes, February 1, 1974.

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arrested?

Q Now, between this date when you first met

1	jpas Bradley - direct 1107
2	Mr. Perna, that is in November of '73 and February of '74,
3	did you have occasion to meet with him?
4	A Yes, on numerous occasions.
5	Q And briefly, what happened on those occasions?
6	A The majority of occasions Condello and myself
- 7	obtained heroin from Perna.
8	Q Now, were there any other conversations during
9	that time period after this first conversation about the
10	shipment?
11	A Yes, I believe there was.
12	Q And to the best of your recollection, after this
13	November conversation, when was the next time that such
14	a conversation occurred involving Perna, Condello and
15	yourself?
16	A I believe it was on December 27, 1973.
17	Q Where abouts did that take place?
18	A It took place around noontime at the Fort Lee
19	Diner in Fort Lee, New Jersey.
20	Q Who was present?
21	A Condello, Perna and myself.
2:2	Q Was there a conversation at that time?
23	A Yes, there was.
24	Q And what was initially discussed, to the best of
25	your recollection?

A Initially, Perna spoke regarding the recent arrest or his partner in the heroin business, Ernest Malizia, who he still referred to as Harry. We then had some conversation. I asked Mr. Perna if he was hooked up with the old man. Since I had heard that Bubby wasn't getting any goods. And Perna stated that it was all wrong, that information. He stated that himself and Malizia had attempted at one time to get goods from Tony Stassi, but the pickup would have to be in Canada and they would have to front \$25,000 a kilo. But the deal fell through completely. He stated further that Tony crassi had borrowed money from loan sharks and was in dece.

He said he borrowed one time from this guy Sally Shiele \$22,000.

MR. NEWMAN: Your Honor, I am sorry --

MR. KADISH: I object on the ground of relevance and move to strike that. No probative value whatsoever.

MR. NEWMAN: May we have a side bar?

MR. NESLAND: No objection, your Honor.

(At the side bar)

MR. NEWMAN: Judge, I respectfully object to this entire line of testimony for several reisons.

One, this is an agent now who has through the question, in effect, of either Perna or Malizia, I didn't follow

jpas

Bradley - direct

right now. It will be forgotten in about ten minutes.

If I make a speech about striking it, they will remember it forever.

MR. GARLAND: I'm not sure that position with reference to Mr. Newman's objection is clear. The testimony about an alleged shipment coming in from Canada, I object to it on the basis that it tends to establish a separate and distinct conspiracy which the defendant, Joseph Stausi, is not charged with here in this indictment. I object to it as statements of Perna on the ground of hearsay to this witness.

THE COURT: Well, I think the jury is entitled to find, they will be charged with what they have to f. d, but I think they are entitled to find it as part of the same conspiracy.

MR. NADEN: I object to his testimony, Judge, about Condello saying scmething about the shipment as being hearsay testimony.

MR. NESLAND: Mr. Condello is here.

THE COURT: All right.

(In open court)

BY MR. SEAR:

Q Mr. Bradley, do you remember how much of the conversation you related?

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MR. GARLAMD: I would like it specifically,

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MR. GARLAND: I think it should be the word

strychnine under your Honor's ruling.

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Bradley - direct

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Then he can state, yes, what did the man say.

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MR. NADEN: I would like to make my client's position clear for the record also. I think the agent's

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statement will tend to influence the jury merely because --

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THE COURT: The jury knows that the prosecution

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brought the case. The question is whether the prosecution's

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brought the case. The question is whether the prosent

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belief is correct. It is merely telling him the agent

thinks your clients are guilty or they wouldn't have

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thinks he's got a case. It isn't something they don't

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know.

MR. GARLAND: May it please the Court, it's

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been testified to there were two weeks of conversations

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on the subject matter for approximately an hour each.

15 16 If the witness is going to attempt to put in what he said

in this fashion, it becomes highly prejudicial unless he

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THE COURT: Then he can't.

knew a question and answer.

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MR. GARLAND: He shouldn't state the kind of

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representations he made at the time. It becomes a tri-

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by his conclusion. It is not necessary to get the evid the

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in, your Honor.

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THE COURT: I disagree with you. Overruled.

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Proceed.

A I stated to Mr. Perna that I knew he was awar

of the narcotic activity of Anthony Stassi. I stated to him that Mr. Stassi, meaning Anthony, had been indicted regarding the importation of 40 kilograms of heroin.

Mr. Perna at that time, he said, "You are off on the figure of 40 kilograms of heroin." The figure as he knew it to be was 120 kilograms of heroin. I said to him, "How do you know this?" At that time he stated while he was incarcerated at Atlanta penitentiary, himself and Mr. Anthony Verzino had a conversation with one Jean Clauce Otvos, a Frenchman also incarcerated there. Mr. Otvos was complaining about a narcotic transaction he had been involved in --

MR. KADISH: Objection on the ground of hearsay.

MR. NEWMAN: I have objections on any conversation regarding Mr. Otvos, and I have noted continuously and I stated it previously.

MR. KADISH: I join in the objection.

Q Continue.

A Mr. Perna stated that he and Mr. Verzino state:

to Mr. Otvos they would like to become involved with hi.

However, Perna and Verzino would have to furnish an

outside man to go to France and meet with his brother

in the person he stated was known as the uncle. At that

time Perna and Verzino had nobody on the outside that they

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thought was trustworthy. Mr. Verzino approached Mr. Joseph Stassi who was also incarcerated at Atlanta. Mr. Stassi suggested his brother who was on the outside. Subsequent to that Mr. Anthony Stassi met with his brother in the Atlanta penitentiary on a visit. He received instructions supposedly to go to France. Sometime thereafter Anthony Stassi returned to Atlanta penitentiary and stared that the people in France were willing to go along with it. During this time period, I believe he was stating that it was in February before Sorenson got out. He approached Sorenson about when he was released to join with Anthon Stassi in assisting in the distribution of the heroin that was supposed to come in. He stated subsequent to that Sorenson was released from Atlanta federal penitentiary. Some time period went by during, after the release, he stated eventually in September of the year that Sorenson was released, a shipment of heroin came 1. totaling 120 kilos, to his knowledge. This shipment wa received by Anthony Stassi and Sorenson. Mr. Perna st that after he had been released from Atlanta penitent: he found out the recipient of the shipment was Ernest Malizia and his brother Patsy Malizia. He said following the shipment another one came in in December of the same year of Sorenson's release. He said that totaled about

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140 kilograms of heroin. He stated again Anthony Stassi and William Sorenson were the recipients of the shipmen'. The time period went by again and Perna stated he was due to get out in May of 1972, and a shipment was agai. due in sometime prior to his release. It was hopeful to him, he stated, that he would get home to handle the shipment also himself. But as he later found out, the shipment came in before he was released. He believes sometime in April of '72. He came home in May of '72. He said he subsequently had conversations with William Sorenson and Anthony Stassi regarding the shipments tha came in. He eventually had a conversation with Anthony Stassi regarding the murder of William Sorenson. "e stated that he had spoken with Joseph Stassi prior t his release from Atlanta penitentiary regarding this murder contract. He stated the agreement from Joseph Stassi that Sorenson should be removed from the scene o he was home. He spoke with Anthony Stassi regarding it, and it was then agreed that Sorenson should be removed. He stated that once Condello and Danny Grillo came home Atlanta, one night they decided to murder Sorenson. However, the attempt was completely unsuccessful. He st.ted that he then had further conversations with Anthony Stassi regarding possibly any future shipments coming in

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2 That was the bas

That was the basis of the conversation.

THE COURT: You mean the substance?

THE WITNESS: Substance, your Honor.

Q Did Mr. Perna relate to you any details --

THE COURT: May I suggest, you mentioned the indictment of Stassi. That is one of the original indictments in this case, nothing different than this case.

Q Did Mr. Perna relate to you any details about what he was telling you that you haven't related to us now?

A There might be certain details if I refer to move notes. There might be additional things but that is the substance of the conversation we had.

MR. GARLAND: Objection and move to strike.

The only thing that is admissible is what was said and not him summary.

THE COURT: Overruled. He said as much as his memory remembers.

MR. GARLAND: I move to strike the testimony of the basis that the predicate was that it was over a two-week period, one-hour conversations, that this obviously is a five-minute or ten-minute summary. It is a summary of an agent's position, it is not a recitation of the statement made. The statement was not recorded in writing. It was

He stated for instance that when Anthony Stassi

did travel to France that the people there were cool toward him, were not willing to sell him the heroin.

However, he used a reference of the name of Paul Mondolini at which time the people agreed to furnish him with the heroin. He stated also that the agreement that himself and Verzino had with Joseph and Anthony Stassi and William Sorenson, instead of receiving any monetary remuneration, he would receive 1 kilo for every 50 ki which was brought in, which would be given to Verzino's girlfriend, a woman I know only as Suzie. That is essentially what he told me.

MR. GARLAND: Your Honor, I think he ought to state it all whatever it is.

THE COURT: When you said essentially, you mean that's all you remember.

THE WITNESS: That's all I really remember right now, yes.

Q Prior to interviewing Mr. Perna, had you ever heard the name Jean Claude Otvos?

A No, I did not.

Q What was the function of the reports that you wrote up after you interviewed Mr. Perna?

A As an intelligence type purpose, knowledge to be communicated throughout our bureau.

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tape, what else does it bolster?

MR. NEWMAN: If your Honor please, in addition to that, I move for a mistrial, your Honor during colloquy with the defense counsel stated that "the prosecution thinks that your clients are quilty, otherwise we would not be here." I think that places the integrity of the United States Attorney directly and indirectly behind the credibility of these witnesses who have testified and respective witnesses who will testify. Now, whatever respect or regard or confidence these arrors might have in the United States Attorney's Office is now reflected and cast on these witnesses. I respectfully move for mistrial on those grounds.

THE COURT: I don't think these jurors believ -that will be explained to them in great detail.

Certainly, the jury doesn't think we are spending two
weeks here because nobody thinks the defendants are
guilty.

MR. NEWMAN: If your Honor please, I further move for the striking of all of Agent Bradley's testimony, particularly the recapitulations for the reasons stated in chambers and for the reason that the probative value of this now constitutes, in effect, despite your Honor's admonition, a rehashing and restatement of all Mario Perna's

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I want to make sure, and let the record reflect

I have been operating under the understanding that we have
a continuing objection as to all Government witnesses on
the grounds that:

One, the statement is not in furtherance of the conspiracy, not within the scope or purpose of the conspiracy, made after the termination of the conspiracy and eithe further ground, that those that have come in, Agent pradley and Condello and where condello the witness was operating as a Government informer, that those statements left trustworthiness and reliability, due to the fact it was a law enforcement investigation.

Is it clear that that objection is continuing?
THE COURT: Wherever it is appropriate.

(In open court)

(Jury present)

THE COURT: Ladies and gentlemen, I hope you had a good weekend.

Before we start I would just like to make an observation because toward the end of the session Thurdsay, I made a slip of the tongue, but which will give me an opportunity to illustrate the reason for some of the rules we laid down.

I told you at the beginning that I made two

predictions. The first day or so here that you would find

yourself in a welter of confusion and you would never be

able to make any sense out of anything and the second

prediction I made was before the case was over you would begin to realize that these rules we have all have meaning, they

all have sense.

Actually, they began being formulated back in I'ng John's time of the Magna Carta and ever since then we have been hammering out these rules.

Now, in a ner jurisdictions, I mean other countries -- it is substantially the same in all jurisdictions in this country -- they had a different set of rules with different arguments.

As far as we are concerned, most of our rules

are English in origin. The rest of our civilization is drawn as good, bad or indivverent and all varieties, but the law is essentially English and these rules all have sense.

one of the rules that I told you about and explained to you was when the contract with Perna was put in evidence. The contract said the witness was to tell the truth. I told you that wasn't a representation by the government that the witness was telling the truth because the government wasn't able to make that kind of representation.

Thursday, in response to an objection that one of the attorneys made, he objected to something that the witness was going to say on the ground that it would disclose the witness' belief. Everybody knows the government and the witness thinks that they have got a case and what does that add?

of course, point one, if the government isn't allowed to make that representation, I certainly shouldn't tell them what the government thinks and, point two, I am not sure it is true. I have no way of knowing whether it is true.

You heard Thursday or maybe this was before about the arrangement, I think it is, Perna had with --

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it is not Perna, the other witness -- had with United

States Attorney in Newark that he was going to recommend

the case be dismissed, but you also heard that this

recommendation has to be approved by Washington and if

Washington doesn't approve, the case doesn't get dismissed.

That is true of every case.

I am not suggesting it is true here that these people don't want to presecute the case, but for all I know they don't. It is none of my business whether they do or not.

These people had decided to dismiss this case,

I am not suggesting it is true, it wouldn't be my business
to know and I don't know, and Washington rejected the
recommendation and they still have to prosecute the case.

What would be your obligation as lawyers in such a situation? Their obligation as lawyers in such a situation would be to present the case as forcefully as they could. Their obligation as lawyers, also, this applies to the defense and everybody else, they always have an obligation to refrain from presenting any witness who is testifying untruthfully to the knowledge of the person presenting it.

There is all the difference in the world between an obligation and quaranteeing the truthfulness of the

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witness. I, as a lawyer, might try my level best to get him to tell the truth, I think I have and I put him on the witness stand. My obligation is to keep him off if I know he is telling a lie.

In the second place, even assuming this isn't true, even assuming that these two fellows here zealously believe in the truthfulness of their case and the truthfulness of this case, assuming that fact, why should you ignore that fact that they assume it to be true.

You remember what I told you at the beginning about keeping your mind open and expressing an opinion and the effect of expressing an opinion had on the person who expressed it. It prevents him from taking contrary views.

That applies to a juror and justifies how much more it applies to an advocate. An advocate who once takes a position is damn unlikely to change it just because evidence is presented to him which might have changed the view of an unprejudiced person. That is human nature.

Once you have taken a position, you justify that position. Therefore, even though you were to assume that these people thought their witnesses were telling the truth, you have got to consciously avoid being affected by that assumption because that is what you are here for.

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You are here with open minds to weigh the testimony as it comes in and not be influenced by what an advocate may or may not think or what you may think an advocate thinks.

of course, as to the witness, what he thinks is even more remote and if I should ask the witness what he thinks about the testimony that he is giving, he would, I think, tell me, your Honor, I would very much appreciate it if you would mind your own business.

Even here under oath to tell what he observed,
what he thinks about what he observed is none of my
business or yours or anybody else's. He is here under oath
to tell what he observed.

Do you remember the illustration that I gave?

Supposing it should become relevant in some trial before

Judge Cooper shall we say, that today's session was held

on a Monday or a Tuesday. I am making a ridiculous,

illustration just to make sure I won't have any slough-over

in this case. Supposing that is relevant.

Supposing someone gets up and says, your Honor, what day is today and I, thinking yesterday was a Sunday. as far as the holiday was concerned, I would say it is Monday and subsequently it would become relevant whether this case was heard on a Monday or Tuesday and I testified before Judge Cooper saying it was on a Tuesday.

It would be proper then for the other side to call Mr. Nesland and say, didn't Judge Knapp say that this case was held on a Monday and he would have to say yes.

He wouldn't be allowed to say it was wrong for this, that or the other reason.

I have told several witnesses, don't give me any explanation, just answer questions. So, in that ridiculous situation, which I make as ridiculous to illustrate the point, Mr. Nesland would be put on the stand, take the oath and he would be asked the question and say, it was Monday. That is all he would say. He might know perfectly well that I was wrong, but that would be wholly immaterial and that particularly is true in this case in this particular testimony that the agent was called upon to give because the only relevance was did the witness say it on that day.

Whether or not you think that fact is important, whether he said it on that day rather than two months later, will depend on how you evaluate the arguments given by the respective counsel when they come to make their arguments, but, therefore, my remark was wrong for two reasons.

First of all, I didn't know whether it was correct or not and, in the second place, assuming it was

correct, it is something which you must constantly avoid being affected by.

I am rather grateful for this opportunity to bring this out because it gives me, at least, a fascinating and interesting division of labor that has been worked out between you and counsel and me.

I think to flush out the subconscious defects sometimes is very helpful. You get to thinking.

That is not necessarily true, point one, and, point two, if you do think it is true, you must conscientiously avoid being affected by it.

I hope that clarifies it.

I will see counsel at the side bar.

(At the side bar)

THE COURT: Does anybody want me to add or subtract anything?

MR. GARLAND: No, your Honor, but we renew the motion made at the close of the case on the basis that instructions can't cure it.

THE COURT: All right. I just wanted to know if there was anything you wanted added at this point.

MR. GARLAND: No, your Honor.

(In open court)

ks16 Bradley - cross
A In regards to a conversation about strychnine,
no.
Q Did you ever put in your reports concerning a
conversation between Joseph Stassi and Condello that
allegedly occurred in the sewing room of the Atlanta
Penitentiary?
A I am not sure what conversation you are
referring to.
Q Relate to the jury now what Mr. Condello told
you about a conversation on the day he left the
penitentiary, where he said it took place and what he
said?
A I don't recall him telling me where it took
place. The only thing he stated to me was, when he go
home, Joseph Stassi said my brother will look you up and
maybe give you a job, something to do.
Q Do you recall him saying anything else to you
Cridello, about that conversation?
The day he was going home, that was the basic
conversation.
Q Is that everything you recall he said?
A At this time that is all I recall.
Q Do you have anything written in your reports
that would refresh your recollection that might add a

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		Bradley - cross	
2	Q	Did Mr. Condello introduce you to Mr.	Perna?
3	A	Yes, he did.	
4	Q	Did Mr. Condello tell you before that	transaction
5	that Mr.	Perna was a source of heroin for him in	his own
6	narcotics	business?	
7	A	Correct.	
3	Q	And he introduced you to Mr. Perna; is	s that right?
9	A	Yes.	
10	Q	Eventually you built up a relationship	yourself
11	with Mr.	Perna so that Mr. Perna made a sizeable	sale of
12	narcotics	to you and to Mr. Condello.	
13	A	Correct.	
14	Q	And that sale was for 8 kilograms of h	eroin.
15	A	Yes.	
16	Q .	For that crime you arrested Mr. Perna	in 1974.
17	А	Correct.	
18	Q	Did you ever tell Mr. Condello that on	e of his
19	tasks as a	n informer at that time to work off th	e charges
20	against hi	m was to set people up in the same man	ner that
21	Mr. Perna	was set up? Did you ever tell him tha	t?
22	Λ	Yes, that was his understanding from me	e, yes.
23	Q	Did you ever tell him that the more inc	dividuals
24	he was abl	e to set up and eventually testify aga	inst, if it

came to that, that the more favorably the government would

	1:350
1	eoas6 Bradley - cross
2	view the disposition of the charges against him?
3	A Not more individuals, no.
4	Q Was that implicit in anything you told him?
5	A I believe it was more or less quality, not
6	quantity.
7	Q In any event, he explained to you about the
8	different people that you knew
9	A Yes.
10	Q He explained to you about the partnership bet eer
11	Ernest Malizia and Mario Perna.
12	A Yes, he did.
13	Q Did he explain to you about the partnership t at
14	was eventually formed between those two people, Perna and
15	Malizia and Anthony Verzino, when he came out of jail?
16	A No, he did not.
17	Q He did not tell you that Verzino had been taken
18	into Malizia's and Perna's partnership in the latter part
19	of 1973 when he began to cooperate?
20	A No, Perna stated that to me.
21	Q This was in late '73 before Perna began to be
22 6	a cooperating person. In late 1973 Condello did tell you
23	about Perna's partnership with Malizia, right?
24	A Yes.

Did he tell you that that partnership formed  $\iota$ 

Bradley - redirect

MR. SEAR: Your Honor, do you have that particular report?

I ask that this be marked for identification.

(Government Exhibit 10 marked for identification.)

Q I show you what has been marked for identification as Government Exhibit 10 and I would ask you first of all, what is that?

A Report of investigation I wrote on April 15, 1974 regarding the narcotic trafficking of Mario Perna and others.

Q The reference, I refer you to the statement which appears on the blackboard, Condello states with reference to those individuals in New York, and ask you to locate that in a statement.

- A I have.
- Q Where does that appear in the statement?
- A At the very bottom on the first page.
- Q Paragraph 2?
- A Correct.

MR. SEAR: At this time, your Honor, I would offer in evidence paragraph 2 and ask that the witness read that paragraph in total to the jury.

THE COURT: Let me caution you again. 13 you will

Bradley - redirect 1 eoas14 hear the testimony with what statement read, it will state 2 the facts as facts, but, obviously, the witness at the 3 time he wrote this report and even now has no knowledge 4 of his own whether those are facts or not facts. 5 This purports to be a summary of what was told 6 him by the various people. If when these things are told 7 on the witness stand you believe them. They don't gain anything by anything told by this witness at any other 9 time and put in this document. 10 MR. NADEN: Your Honor, may I approach the side 11 12 bar? THE COURT: Are you going to say anything 13 different from what you have been saying the last half hour? 14 MR. NADEN: Yes, your Honor. 15 THE COURT: We have had the argument on this. 16 17 It is over. MR. NADEN: I' is not a question of argument. 18 It is a question of the procedure that I would respectfully 19 recommend and it will just take a minute to offer that 20 21 procedure. 22 (At the side bar) MR. NADEN: The question that arises in my mind

is that some of the material in that paragraph may be

conclusions and not what was said to him by Condello.

23

Bradley - redirect

I would ask for a voir dire out of the presence of the jury as to whether or not the material in the first part of that paragraph is a summary of all the matter he came to know after a period of time or that specifically, as he is now going to testify, is a statement made to hom by Condello.

The only reference to Condello is in the last sentence. All that prior material is is narrative, a summary of his recollection.

THE COURT: He has already said with respect to the Nebbia thing he got it from someone else.

MR. NADEN: He did say that, but in terms of the whole report, it is by no means clear that this is specifically what Condello said to him or whether that is a summary of his recollections.

THE COURT: I don't see that you improve your position by going into that. You give it greater weighthan it already has.

MR. NADEN: Out of the presence of the jury.

That is a summary of a whole draft of material, I am just afraid he is going to say that Condello said that to him at that time.

THE COURT: You will ask him.

MR. NESLAND: He already testified that he never wrote down a debriefing statement.

Bradley - redirect

MR. KADISH: Maybe the Court should instruct it is only a summary.

MR. GARLAND: The best thing is leave it on the record and not put that in.

MR. NESLAND: That is what you would like, but you put it in.

THE COURT: I will permit it to be read, but I will not permit a transcript of it to be shown to the jury.

That is all. He can read it.

(In open court)

THE COURT: You can read that second paragraph.

(Government Exhibit 10 received in evidence.)

THE WITNESS: "During 1970 Sorenson was released from Atlanta penitentiary and associated himself with Anthony Stassi, brother of Joseph Stassi, Sr. Through in agreement reached among the inmates, namely, Perna, Stassi, Sr., Stassi and Verzino, who were present, and Sorenson, Anthony Stassi and Suzie, last name unknown, who were free, shipments of herein were imported into the United States by this group and distributed in the New York City area. Stassi, Sr. was supposedly responsible for the establishment of the overseas connection with the heroin and Perna, Verzino, Sorenson and Anthony Stassi were responsible for providing outlets. However, dari.

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Bradley - redirect

the incarceration Verzino worked in the library with

Jean Nebbia and SC3-3X021 stated that Verzino had arranged
with Nebbia for the delivery of heroin from France to
unknown individual/s in New York City."

MR. GARLAND: Your Honor, I think it should be clear that SC3X021 is Mr. Condello.

- Q You have already testified to that, haven't you, Agent Bradley?
  - A Correct.
- Q What was the source of the information that you reported in paragraph 2 which you just read to the jury?
  - A Mostly Condello.
- Q To the best of your ability, tell us what was attributable to what Mr. Condello had told you as of that date.
- A Almost everything in here except for the fact of the last name of Nebbia.
- Q Let me ask the question this way. Cutside of the name of Nebbia, which you have already told the jury how that came up, aside from that specific name, what did you record in that paragraph that had not come from Mr. Condello as of that date?
  - A Nothing.
    - Q Agent Bradley, there appears on the blackboard a

1	ksll Bradley - recross 1299
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2	A The profits that they accrued they would divide
3	between them, yes.
4	Q Did h state that he and Verzino were one-third
5	partners in this transaction?
6	A I am not certain whether he ever stated what
7	the partnership consisted of fractionally-wise.
8	Q Do you have any recollection of Mr. Perna telling
9	you that Verzino and he were one-third partners with the
10	people involved?
11	A No, he just stated what he would receive.
12	Q Was he to divide what he received with Mr.
13	Verzino?
14	A Correct.
15	Q And you have testified that you were present
16	with Verzino when he was being debriefed in Jaruary,
17	February, 1975, right?
18	A That was the first time I sat with Verzino, yes.
19	Q You were of course aware he began his co-
20	operation in August of 1975 at the time you sat there
21	January, February?
22	A I wasn't aware of when he began his co-
23	operation.
24	Q Fut you knew for som months previously he had
25	been cooperating?

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## Verzino - direct

## DIRECT EXAMINATION

## BY MR. NESLAND:

Q Mr. Verzino, I would ask you to speak up. This is a big room and it has bad accoustics and everybody has to hear what you have to say.

THE COURT: See that man in the corner with the glasses on?

THE WITNESS: Yes.

The COURT: Pretend you are taling to him. Keep your voice up.

MR. KADISH: I wonder if the witness is sitting up in the chair. From this side of the table we can't even see him.

Thank you.

Q Mr. Verzino, are you presently incarcerated as a result of your arrest on February 15, 1974?

A Yes, I an.

Q Were you arrested at that time by the New York State Special Prosecution's Office?

A Yes, I was.

Q Prior to that time were you on the street?

A Yes.

Q Did you have a street name that you went by on the street or you were known by on the street?

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2	A	It was, yes.
	Q	Was that charge robbery and burglary?
4	À	I don't recall what the exact charge was.
5	Ω	Did you finally plead guilty to an unlawful
. 6	entry and	were sentenced to a one-year's imprisonment?
7	Α	Yes.
3.	Q -	February 11, 1964 or thereabouts were you arrested
9	by New Yo	rk State for the possession of heroin?
10	A	Yes, I was.
11 -	Q	Did you plead guilty and receive a sentence of
12	one year	on that charge?
13	Λ	Yes.
14	0	Were you arrested in 1963 and 1965 by the
15	federal a	uthorities for violating the federal narcotics
16	laws?	
17	A	Yes.
18	Q	I direct your attention to the charges the
19	against y	ou in 1965. Did you go to trial on that case?
20	A	I did, yes.
21	Q	Was that in the Southern District of New York?
23	A	Yes.
25	δ	It was in this courthouse, is that correct?
21		Yes, it was.
15		Sira way assist a to a moult of that this is

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1	eoas9	Venzino - direct
2	Λ	Yes, I was.
3		Was that a jury or nonjury trial?
4	A	Nonjury.
5	Q	You had gone to trial before Judge Weinfeld,
6	is that co	orrect?
7	A	Yes.
8	Q	Did Judge Weinfeld sentence you to twelve years
9	in prison	as a result of your conviction?
10	A	Yes, he did.
11	Q	During the time of that case did you testify
12	as a defer	ndant?
13	Λ	Yes, I did.
14	5	Did you testify truthfully?
15	A	No.
16	Q .*	After you were convicted by Judge Weinfeld,
17	did you th	nen plead guilty to the charges which had an eer
18	in 1963?	
19	A	Yes, I did
20	Q	Did you receive a concurrent sentence at that
21	timeT	
22		Yes. India.
7.5		THE COURT. Also before ladge Levefeld
24		THE WITHESS: Yes, sir.
25		As a result - the twelve-mar semi-acce you

1313 Verzino - direct 1 eos received from Judge Weinfeld, were you sent to the United 2 States Penitentiary in Atlanta, Georgia? 3 A Yes, I was. 4 When did you arrive in Atlanta, Georgia? 5 Some time in June of 1967. 6 A While you were in Atlanta Prison, did you meet 7 8 a man named Joseph Stassi? A Yes, I did. 9 Is he in the courtroom today? 10 A Yes, he is, the man with the striped tie, the 11 12 second man. The second man in? 13 14 Yes. A MR. NESLAND: May the record reflect that he 15 has identified Joseph Stassi. 16 THE COURT: Yes. 17 18 Had you known Stassi personally before you went 19 to Atlanta Prison? No, I did not. 21 Q When did you first meet Joseph Stassi, if you 23 recall? In December of 1967, I believe, or early 1968. 24

Who introduced you?

1314 Verzino - direct 1 eos 2 A man named Joseph Lappi. A 3 Does he go by another name? 0 4 A Yes. 5 . What is his name? 0 6 A Joe Bec. 7 During the tim you were in Atlanta with Mr. 8 Stassi, did you refer to him by another name? 9 A Yes. 10 0 What name? 11 A Joe Rogers. 12 Did you have other names for him? 13 Yes, the old man. A 14 While you were in Atlanta Prison, were you 15 incarcerated with William Sorenson? 16 Yes, I was. A 17 Would you please point him out to the Court and 18 jury? 19 The man there with the dark glasses on. A 20 With the checked suit? 0 21 Yes. MR. NESLAND: May the record reflect to has identified William Sorenson. THE COURT: Yes. Did Mr. Screnson wear glasses in '67, '68 and '652

1	eos	Verzino - direct	1315
2	A	Occasionally.	
3	Q	Did he wear them all the time or just occasi	on-
4	ally?		
5	λ	Occasionally.	
6	Q	Had you personally met Mr. Sorenson before y	ou
7	went to At	clanta Prison?	
8	A	I had seen him, yes.	
9	Q	You had seen him but you had never met him?	
10	Α	I have never met him.	
11	Q	Did you know William Sorenson by any other n	ame
12	while you	were in Atlanta?	
13	A	Bubby.	
14	Q	Do you recall who introduced you to William	
15	Sorenson?		
16	A	Yes, Mario Perna and Leo Saminno.	
17	Q	Were they in Atlanta at that time?	
18	A	Yes, they were.	
19	Q	While you were in Atlanta were you also	
20	incarcerat	ed with a Frenchman by the name of Jean Claud	1
1	Otvos?		
2	٨	Yes, I was.	
3	Q	Had you known Otvos before you went to Atlan	nta
4	Prison?		

1	eos	Verzino - direct	1316
2	0	Where had you met him and when?	
3	Λ	In West Street in 1966 or '67.	
4	0	Was he in the West Street House of Detention	n
5	at that ti	me?	
6	Α	Yes, he was.	
7	Q	Were you incarcerated there as well?	
8	A	Yes, I was.	
9	Ω	While you were in Atlanta, did you ever mee	t a
10	man by the	e name of Tony Stassi?	
11	A	Yes, I did.	
12	Q	Please identify him for the Court and jury?	
13	Λ	The man with the glasses sitting there wit	h the
14	striped be	eige and black tie or blue tie.	
15		MR. NESLAND: May the record reflect he has	
16	identified	Anthony Stassi, a defendant in this case.	
17	Q	°Do you recall when and where you first met	
18	Anthony St		
9	λ	Yes, in the visiting room in Atlanta some t	LTC
20	batween Ma	arch and May of 1970.	
:	č	You have testified that Mario Perna was als	0 1
	ylenta t	that timer is that correct?	
	Ä		
24	•	From did you lirst meet Marie Ferna?	

1	cos	Verzino - direct	1317
2	Q	Did you have a business relationship with Ma	irio
3	Perna while	you were in Atlanta?	
4	Λ	Yes, I did.	
5	Q	What was that business?	
6	A	The narcotics business.	
7	Q	During the time you and Perna were in Atlant	ia,
8	did you ass	ociate with any prisoners First you and	
9	Mr. Perna?		
10	Λ	Yes.	
11 .	0	Who did you associate with?	
12	A	Mr. Solten, Mr. Stassi, a man named Mr. Kapa	itos.
13 ;	Q	What was his name other than Kapatos?	
14	Α	Tony Debri. Mr. Condello, Danny Grillo,	
15	another man	named Joe D'Amico and several others.	
16	0	Who did you associate with for the most part	t while
17	you were in	Atlanta?	
3	Λ	Mr. Perna, Mr. Kapatos, Mr. Stassi.	
0	Q ,	Who did Mr. Perna associate with while he wa	s ir
n	Atlanta for	the most part?	
1		Mr. Sorenson and Condello and Grillo an	
2	others, a m	on named Zermino.	
.)		And yourself?	
:		And rysel	

where yere You living while you were in Atlant

1	eos Verzino - direct 131
2	for the majority of the time you were in Atlanta?
3	A In the dormitory.
4	Q Who lived in there with you amongs that group,
5	if anyon?
6	A Perna, Sorenson, Grillo, Condello, Kapates.
7	Many others.
8	Q Where did Joseph Stassi live at that time?
9	A In D block.
10	Q I am going to direct your attention to 1970 and
11	ask you if you recall an incident when you were asked to
12	give a messate to someone by Joseph Stassi?
13	A Yes, I was.
14	Q Do you recall approximately when that occurred?
15	A In March or April of 1970.
16	Q Will you please tell the Court and jury what
17	conversation, what you did after you were asked to give a
18	message from Joseph Stassi to someone?
19	A I approached the Frenchman, Jean Claude Otvos.
2.5	with a message that Mr. Stassi had asked me to dive him
1	and Mr. Beases had been trying to locate a man named
	Mortalion, an old associate of his.
	O Do you know the full name of a. Confelions
21	toul Montalione.

1 Verzino - direct 2 message to Mr. Montelione, that Mr. Stassi wanted to get 3 in touch with him and Mr. Stassi said that he thought he could. He wasn't sure but he would try. 5 I gave him the message which was that Mr. Stassi would like to contact him, if possible, and could be 7 possibly leave either and address or a way of contacting him if he got the message. Mr. Otvos said, yes, he would try. Q Was there any further conversation with Otvos 11 during that conversation? 12 A Yes, there was. 13 Q lease tell the Court and jury what Otyos said 11 to you and what you said to Otvos the best as you can 15 recall it? 16 A Mr. Otvos asked me if the purpose of getting in touch with Mr. Montelione was to obtain heroin. 10 I said, no, at least I didn't know; that I 19 thought it was merely to get in contact with him. Mr. Otwos asked me if he would like to cale to me about consthine. I said, act right 23 Pe sail to me, could I use pooir, heroin. I said, f don't know. I'm no dure

think so.

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He said that he would like to talk to me further
about it; that he could obtain 50 or 55 kilos of heroin
and that he had been thinking about talking to me and he
had been thinking about asking Mr. Sorenson before he
went home, that then he had changed his mird and decided
to ask me.

I said, all right, and we decided it was a bad place to talk because we were in full view in the library.

- Q You were in the librrary at that time?
- A Yes.
  - O Who worked in the library at that time?
- A I did. I'm not sure if I was still working
  there, but I believe I was. Mr. Otvos, a man named
  believe I was still working
  believe I was. Mr. Otvos, a man named
  believe I was still working
  believe I was. Mr. Otvos, a man named
  - All worked in the library?
- A All worked in the library.
- 19 Did you agree to meet with Otvos later?
- I agreed to meet with him the next morning by
- 2 O lifter you had that conversation with Otos, 2:
  2 you speak to anybody about Otvos' proposal?
- i A Yes, I did.

1,	eoas7	Verzino - direct.
2	A.	Yes, I did.
3	Q	What was that name?
4	A	Tony Vas.
5	Q.M.	Now, prior to your arrest on February 15, 1974,
6	you had be	an arrested and convicted of other crimes, had
7	you not?	
8	A	Yes.
9	0	Were you arrested by the New York State authorities
10	on July 14	1, 1950?
11	A	Yes, I was.
12	Q	Was that for assault with a gun?
13	A	Yes.
14	0	Did you plead guilty to assault in the first
15	degree?	
16	A	Yes.
17	Q	Were you sentenced at that time to four to eight
18	years impr	isonment?
19	Α	Yes, I was.
20	2	Subsequent to 1950 were yet again acrested on
2.	May 10, 10	542
	à	Yes.
27	O	On or about that time?
24	Α .	Yes, I was.
95	Q	Was that by the New York State authorities?

- A Perna, Mario Perna.
- Q Do you recall what the conversation was between you and Perna and where it occurred?
- A Not specifically. Generally, yes.

We just were conjecturing as to whether it was a serious offer on Mr. Otvos' part or if there was anything to it and I said that I thought Mr. Otvos was a serious person and not given, you know, the speculating about a lot of things and that he had never spoken to me prior about any such thing and I thought I would like to hear what he had to say.

- Q Did you meet him the next day by the tennis court?
  - A Yes, the ex. morning.
- Q Will you tell the Court and jury what was said at that time?
- A He told me that he had been sending heroin to another man in prison.
- Q Did he tell you who that man was?
- A It was a man named Ralph Santanna, Red Santanna, and he had sent him two two loads of heroin, but that the last load, some 50 kilos, there was some difficult or delay in Mr. Santanna's paying him and they had had some differences and that he was looking for another

Verzino - direct

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customer and my question to him about Montelione had sparked his decision to talk to me.

He had thought about it, he had finally decided when I asked him and he asked me did I think I could handle this amount of narcotics or could I get customers.

I answered him that I thought I could, but I wasn't sure. I would want to speak with someone and find out further and I asked him generally what the price was.

He said that he had given Mr. Santa the merchandise for 10,000 or 10,500, I don't recall exactly, and that the price would be at least in that range or possibly five hundred to a thousand more and I told him that I would ask someone and I would let him know.

- After you had that conversation with Otvos, did you go to anybody?
  - Yes, I did.
  - Who did you go to?
  - I went to Mr. Stassi, Joseph Stassi.
- Do you recall where you met him on the occasion that you went to see him with respect to Ot.os' proposal?
- A I believe it was where he was working in the clothing distributing room. He was working at a sewing machine, a button machine, and I told him what Otvos had

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•		S. J	-

said to me.

Q Please tell th Court and jury what you said and what h said, Mr. Stassi said at that time?

A Well, I told him of Mr. Otvos' offer and he asked me did I think there was anything to it.

And I said, yes, but that "r. Otvos had indicated that he could put us in some with his people outside and that I was thinking about it.

Mr. Stassi said that he thought the price was a bit high

Q Who said the price was a bit high?

A Mr. Stassi and myself, we both speculated as to the price being very high, according to what we had heard prior about prices.

I said that possibly it wasn't. Things had possibly changed a great deal and Mr. Otvos had indicated to me that it was the normal figure for the times.

I said that I would speak more to him about it, did he think we could do somthing with it.

And he said yes, he thought so, but it would necessitate getting customers and getting a contact with Otvos' people and that I should go back and ask utvos if in fact, he could do what he said he could do.

I answere that I thought he could become

A Well, I told Mr. Otvos that it was possible that we would be interested, but that how would the mechanics of the thing be arranged, granting if the sum of money he asked for the narcotics, you know, was within reason.

And he said that he would put us in touch with his people through his brother in France whose address I had already had from West Street from years prior.

He had given me the address in case when we got out I ever wanted to contact him. We had been friendly.

That that would be the brother or if I wanted to drow his a line while he was in prison, that his brother could forward him a letter if we were in different prisons.

I said that would be fine, but how would we get in touch with the brother?

He said he would be in touch with his brother and he would notify his brother that if someone reached him that it was a party whom he knew and that his brother could then put whatever party reached him in touch with his friend, he said, his people outside.

- Q Was there any conversation between you and how as to what the brother's name was, if you recall, and the address?
  - A I knew the brother's name, Gerard Otvos.
  - Q Do you recall the address?

STUDIES THE STATE OF STRONG TOR HE COLD TO

1	Verzino - direct
2	A No. 1 rue Russo or Russell LaGerine, 92, Paris.
3	Q You had previously had that address from Mr.
4	Otvos, is that correct?
5	A Yes, I had it for some years.
6	Q What did you do after you had this conversation
7	with Otvos?
8	A I went back to the dormalory and I talked about
9	the thing with Perna and we merely speculated whether
10	the thing was viable or whether it was possible and the
11	following day I spoke to Mr. Stassi.
12	Q Do you recall where you met Mr. Stassi on that
13	occasion?
14	A Not exactly, no. Probably where he worled or
15	in the yard.
16	Q How often were you with Mr. Stassi during this
17	time period you were in Atlanta?
18	A Daily.
19	Q Where would you meet him and what would go on
20	generally?
21	A I would either meet him where he worked, if [
22	wasn't working, or meet him in the yard and we would walk.
23	or talk or watch handball or pass time, you know.
24	Q Back to this conversation, do you recall

substant of what you said between you and Joe Stassi at

that time?

A Yes. I said I thought that Otvos could produce from what he had told me of Santanna. It fit from things I had heard in the prison and that Otvos was not a man given to idle boast or, you know, speculating about things he couldn't do.

getting someone in touch with Otvos' brother and Mr. Stassi said that he possibly could get a hold of his brother and put him in touch with Otvos' brother in order to sp. about the feasibility of it. but we said, we both agreed that a letter wouldn't be a good idea because a letter, naturally, is subject to law should it go astray, but that possibly he gould send his brother on a trip to France.

Which brother were you talking about sending on a trip?

A Anthony Stassi. He is the only brother I know of Mr. Stassi or knew of at the time.

I gave him Gerard Otvos' address and I told
him that I would see Jean Claude, that is Otvos, again and
try to arrange a way for a meeting between his brother
and Mr. Stassi's brother in order that Mr. Stassi could
then meet Otvos' friend or partner or people, as he called
them.

As a matter of fact, I asked him if his knew and understood English. He said he had some words of English, and I said our party possibly coulon't

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talk French.

note. I asked him to write a short note on onion skin paper and, if possible, to say something in the letter which his brother would recognize as a private matter, something they were both privy to, some personal matter out of the past which would indicate to the brother that the bearer of the letter did indeed bring it from Jean Claude plus the handwriting, you know, but not to sign it.

Q Were any names to be used in there?

A Yes, I asked him to identify the bearer as Mr. Duval. It was just a name we picked.

Q Who had picked that? Where had you proout the name Duval?

A In conversation with Mr. Stassi, but I don't recall which one of us picked the name Duval. It was a name some way that we arrived at.

Q Was that supposed to be signed by Mr. Otvos. the letter?

A No, I asked him not to sign it in the event that either the address or the letter in being passed in the visiting room, that it could be passed separately or, possible, that the letter wouldn't reflect who had written it in the event that it should go astray; that it would

Yes, because it could be folded into a thir,

pliable strip, which could be bidden under either a bit

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or in a nandkerchief becaus if you go in the visiting room, you are patted down and a stiff piece of paper would be apparent in your pocket. They may look at it and see what it was. You were not allowed to pass written messages in the visiting room.

- Q It was written on onion skin paper -THE COURT: Don't summarize.
- Q Did you finally get the letter that day or some other day?

A I got the letter from Mr. Stassi, exactly which day I do not recall. It might have been the same day or it might have been another day. I don't recall if Mr. Ot os gave me that letter, whether it was in the evening or the following day.

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Q What did you do with it at that time?

I took the letter and I held it for a short amount of time and Mr. Otvos told me, he assured me -- I asked him if he had told his brother if the letter was for his people ultimately, part of it, to assure them that in the event they did come to an understanding with any person we send, it was to be understood they were not to deal simultaneously with Mr. Santanna as we did not wish to get involved with a double pot, that if any thing was to be done, to be exclusively with us. I did not read the letter. He told me he had put in there another warning but that his people, as he put it, weere awage of his, you know, want to stop them from dealing further with Mr. Santanna, but however he had reiterated in the letter in the event his people might on their own decide to hold Santanna's wife's address as a secondary dealing point and I said fine, and I then took the letter and I took it back to the dormite y with me. I didn't read it, but I discussed it with Mr. Perna that Otvos had given me the letter.

I don't recall when I gave the letter to Mr.

Stassi. It was either that evening or if I got it in the evening, it was the following day.

Q Do you recall whether that letter was ever

7:2

delivered?

A Yes. I was told it was delivered, yes.

Q Do you recall approximately when you were told this and by whom?

the letter to his brother and he told re to tell Jean Claude that he had given the letter to his brother and also to ask Jean Claude or indicate to him in the event his brother couldn't reach an understanding with whatever persons he was going to meet, that he would ask them if they could then tell his water to find his friend Mr. Montelione, both as a matter of convenience to him and as a bargaining factor to the Frenchmen in that they might think that

Mr. Montelione was an alternate source, alternate possible source in any event and I told Mr. Otvos this. He said he didn't think it would be necessary but he had no objection to it, that it was up to his people outside.

Q Was there any discussion between you and arvano as to what Tony Stassi was going to do?

would make a trip as quickly as possible; either on a junket or tour flight with his wife and I think he said no would go from England to Paris or vice versa, Paris List then England and that he would be back as soon as icrosp

Q Do you recall what those names were?

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A Yes, we speculated Vincent Pacell, was to Atlanta but he indicated he wasn't interested. A: Jerry Tanfardina, the Malizia brothers, Montiac, "

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rks

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Verzino - direct

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then when he got out

be done if narcotics came in?

A Yes. Who would handle the work and Mario indicated that he would like Mr. Screnson who was a close friend of his, as a possibility and I said I would like a friend of mine who was my best man and a distant relation.

I called him cousin, although he wasn't. It was a relationship by marriage.

Q ... What was his name?

handle the narcotics. Whowever Mr. Stassi finally got,

MR. KADISH: I can't hear.

Q Try to speak up?

A Generally we were trying to figure out what would be done and Mario said he would like M-. Sorenson if possible because Mr. Sorenson was then waiting to go home and he would like to see him. I had asked Mr. Stassi about it and Mr. Stassi had told me that he had intende getting Mr. Corenson in touch with his brother Tory anyway, possibly to do some favors, odds and ends for non, leg work, legal research, or to contact a witness for her in order for affidavits, and that he possibly could me

rks Verzino - direct  him to do the work. It was sort of a scheme in r  at the time. Nothing concrete, but we had broad  possibility to Mr. Stassi.  0 What did Stassi say?  A He said he would talk to Mr. Sorenson a  let it lay for the time being, that nobody knew ye  was going to happen and we agreed.  0 During this time period that it was in  stages, did you have discussions with a girl name  A Yes, I did.  0 Who is Súzie?  A Now she is my wife. At that time s  girl friend, mistress, whatever. She was visit  MR. KADISH: What was her last name?  THE WITNESS: Her last name?  What was her name in 1970?  A She was using the name O'Neil, Suzie of  What were the discussions you had with  in about that time period?  MR. GARLAND: Could we have a date, po  The the spring of 1970?  A I had cold her eventually I cold in  happening and told her to contact Recommendations.	i direct
at the time. Nothing concrete, but we had broad possibility to Mr. Stassi.  O What did Stassi say?  A He said he would talk to Mr. Sorenson a let it lay for the time being, that nobody knew yo was going to happen and we agreed.  O During this time period that it was in stages, did you have discussions with a girl name A Yes, I did.  O Who is Súzie? A Now she is my wife. At that time s girl friend, mistress, whatever. She was visit MR. KADISH: What was her last name?  THE WITNESS: Her last name?  O What was her name in 1970?  A She was using the name O'Neil, Suzie of What were the discussions you had with in about that time period?  MR. GARLAND: Could we have a date, pi The spring of 1970?  A I had hold her eventually I mid is happening and told her to contact her for me and	
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11 A Yes, I did.  12 O Who is Súzie?  13 A Now she is my wife. At that time s  14 girl friend, mistress, whatever. She was visit  15 MR. KADISH: What was her last name?  16 THE WITNESS: Her last name?  17 O What was her name in 1970?  18 A She was using the name O'Neil, Suzie O  19 What were the discussions you had with  20 in about that time period?  21 MR. GARLAND: Could we have a date, pi  22 C In the spring of 1970?  23 A I had told her eventually I mid h  24 happening and told her to contact Ree for me and	is time period that it was in the early
12 0 Who is Súzie?  A Now she is my wife. At that time s  14 girl friend, mistress, whatever. She was visit  MR. KADISH: What was her last name?  THE WITNESS: Her last name?  O What was her name in 1970?  A She was using the name O'Neil, Suzie of  O What were the discussions you had with  in about that time period?  MR. GARLAND: Could we have a date, pl  The spring of 1970?  A I had told her eventually I could her have a date of the period have a date of the period have a date.	discussions with a girl named Suzio?
A Now she is my wife. At that time s  girl friend, mistress, whatever. She was visit  MR. KADISH: What was her last name?  THE WITNESS: Her last name?  What was her name in 1970?  A She was using the name O'Neil, Suzie Company of the series	d.
girl friend, mistress, whatever. She was visit  MR. KADISH: What was her last name?  THE WITNESS: Her last name?  What was her name in 1970?  A She was using the name O'Neil, Suzie O  What were the discussions you had with  MR. GARLAND: Could we have a date, pr  MR. GARLAND: Could we have a date, pr  A I had told her eventually I erid h  happening and told her to contact Rec for me and	zie?
MR. KADISH: What was her last name?  THE WITNESS: Her last name?  What was her name in 1970?  A She was using the name O'Neil, Suzie Company of the spring of 1970?  MR. GARLAND: Could we have a date, print the spring of 1970?  A I had told her eventually I food to happening and told her to contact Res for me and	s my wife. At that time she was my
THE WITNESS: Her last name?  O What was her name in 1970?  A She was using the name O'Neil, Suzie O  What were the discussions you had with  in about that time period?  MR. GARLAND: Could we have a date, pl  C In the spring of 1970?  A I had told her eventually I told her happening and told her to contact Rec for me and	s, whatever. She was visiting me.
What was her name in 1970?  A She was using the name O'Neil, Suzie O  What were the discussions you had with  in about that time period?  MR. GARLAND: Could we have a date, pl  The spring of 1970?  A I had told her eventually I hold h  happening and told her to contact Rev for me and	SH: What was her last name?
She was using the name O'Neil, Suzie O  What were the discussions you had with  in about that time period?  MR. GARLAND: Could we have a date. pi  R. The spring of 1970?  A I had told her eventually I exid had been appearing and told her to contact Res for me and	SS: Her last name?
10 Q What were the discussions you had with 20 in about that time period? 21 MR. GARLAND: Could we have a date, pl 22 Q In the spring of 1970? 23 A I had told her eventually I would be 24 happening and told her to contact Red for me and	her name in 1970?
in about that time period?  MR. GARLAND: Could we have a date. pr  The the spring of 1970?  A I had told her eventually I fold her happening and told her to contact Ref for me and	using the name O'Neil, Suzie O'Neil.
MR. GARLAND: Could we have a date. pl  C In the spring of 1970?  A I had told her eventually I fold b  happening and told her to contact Red for me and	e the discussions you had with Suzic
21 Deprening and told her to contact Res for me and	period?
2) A I had told her eventually I field have and happening and told her to contact Res for me and	AND: Could we have a date, planse?
2; happening and told her to contact Red for me and	pring of 1970?
	ld her eventually I cold has we the
at a share number and entire reave it with my mother of	her to contact her for me and get his
25 phone number and expert reads 1	her 10,400 it with my mother or to hold

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it and that to get in touch with Cuzzie Suarez, and to come down and visit us and just generally ale I her and told her that if Bubbie should get in touch with her, it would be for that purpose.

- Q Did there come a time you learned that Tony
  Stassi had in fact gone to France?
  - A Yes.
  - Q Do you recall approximately when this was?
  - A Some time in March or April.
  - 9 How did you learn that?
  - A Mr. Stassi told me.
- By that you mean Joe Stassi?
- 11 A Yes.
  - Q Will you please tell the Court and jury what you said and what Joe Stassi said in the conversation that you learned that Tony had gone to France?

back from France and that he had in fact met the people,
Otvos' people and that the meeting had been accomplished
with very little problem: that he had gone to Gersei Crance
and that Gerard Otvos had then made an appointment with
Teny Stassi to where Pony Stassi would be during the
days, where he could be reached and that some time I helieve it was the same day or that evening, whateve

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was, he spoke to him, within hours, that these persons had contacted Tony and had met with him and that they had had a discussion as to the plan that Jean Claude had proposed to us, and that it was successful to the degree that they had agreed on a tentative price of between \$10 and \$11,000. Exactly what, I don't recall, and that they had told him that probably they would lead to deliver much more heroin than had been indicated by Mr. Otvos and that they were then in the process of arranging for its shipment and that it shouldn't be too long. Possibly a month or two, but in any event, that they were sure they could deliver this.

problem with the language barrier but it was resolved easy partly through sign language and partly through some English on their part and various means of making each other understood, I don't know exactly how and that they had arranged for a meeting later in New York City and that the meeting had been arranged, that they had arranged for a way for these Frenchmen to contact Tony Stassi and that the meeting had been arranged for two nights after these means which would reach in Stassi eventually, and time of the had been set, some time in the evening, possibly 8 or described and that when Mr. Stassi received the message that

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the meeting would be at that time two days after the date of the receipt of the message and somewhere on Madison Avenue, I believe it was 55th or 56th Street, and he told me too that Mr. Stassi had mentioned Montelione to them and they said that it wasn't necessary to meet Mr. Montelic that they were sure they could satisfy Mr. Stass, and there wasn't a need to go to anyone else.

MR. KADISH: When he uses the word "they" can he identify who he is talking about?

- Had you ever learned who the Frenchmen
- No, personally who they were, I didn't have
- Were they also referred to as Ctvos' peop.
- They are his people or the Frenchmen. A "they".

I then told Otvos what had happen ed and Tolena and I spoke and we just waited then for further word.

- Q Did there come a time that you discussed what you had heard with anybody, besides Mr. Perna?
- A Yes, there did come a time. Wr. Stassi and t spoke generally and I told him I would like to take to share if possible in herein and the opportunity to be come of it at equal price with whatever the customers we buying or at a lower price as possible, with some create and we air of to t' ...

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I agreed, or I suggested that I get two packages on a hundred if that comes in. If not, we would make other arrangements and I said I thought that was fair and Mr. Stassi agreed.

- Q How often did you discuss this with Ferna and Mr. Stassi during the time period that you were waiting?
  - A Many times. It was almost a daily topic.
- Q Did there come a time, Mr. Verzino, that you learned that Tony Stassi had missed the meeting that you had previously learned about from Mr. Stassi?
  - A Yes.
- Q Do you recall approximately when that was also this incident occurred?
- A Some time at the approach of the summer. It was after the spring. It might have been in June. I am not positive. It might have been in May or June, possibly even July, but it was during the warm weather. The warm weather sets in early down there. It is hard for me to recollect exactly.
  - C How did you learn this?
- A Mr. Stass; told me he had got a visit and .e. a cut of the visiting room and be teld me that his prott. had visited him and was leaving to go back to Nev York because he had to be in New York that night: that he had

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had a message from these persons and had kept a preset appointment, but that the persons didn't show and that he was going back -- the original arrangement had been. if they didn't show on the date set, that both parties would then attempt each night to go through if through some chance they missed each other. He said his brother was flying back that night to try to keep the appointment in the event the Frenchmen did show and we were trying to figure out why they didn't show, that possibly through a language Barrier or through some other custom foreign to us, possibly two nights after the meant something else to them. For example, if the date was say the 10th, we might assume it to be the 12th, the appointment time. They might count two full days and assume it to be the 13th or possibly they misunderstood the number of the street or became confused. Mr. Stassi said from what his brother had told him, one of the Frenchmen indicated he had known New York and probably it wasn't a confusion of the street but more than likely one of time or day and said his brother was going to keep a daily watch for the French men and I told Mr. Otvos the same thing.

THE COURT: Pick a good time for a break, Mr. Nesland.

Do you recall whether or not after Tony con

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had come down that first day, he had come down again?.

- A Yes, he did.
- Q When was that?
- A Within a day or so.
- Q What happened at that time and from whom did you learn it?

A Mr. Stassi told me that his brother had in fact meant the Frenchmen, that the Frenchmen had showed and I don't recollect or we never discussed fully the reason for the delay, but that they had showed and that they are told Tony that they were ready and that it would be a matter of time to merely wait, that his brother had rearranged a method for contact, had given them some address. To my recollection, he said some cabdriver's address or number by which through sort of using as a mutout they could reach, get a message to Mr. Stassi and that when they got in touch with him, they would then be ready to give him merchandise and that everything was set and that one of the original Frenchmen had showed up or two, but they had brought another one who was to act -- who was . be there from then on in as a contact in this country New York and that was about the dist of the messsage. I don't recall in more detail.

Q Doming this period of time, were you have

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conversations with Suzie or contact with Suzie?

- A Yes, I was.
- Q How were you having contact with Suzie?

A I got a visit approximately the same period of time or two visits and I told her what was happening and I told her to contact Bubby and she said sh would, and I said to tell Bubby that if he would handle her customer our customer Suarez for me and Mr. Perna and she said she would tell him that and made the arrangements.

I also spoke with Mr. Perna and he said he would get in touch with Mr. Sorenson through his sister Clara, or get a visit from his sister, I don't know exactly how he intended to do it and would I inform him of the same thing.

I also told my wife to inform Red Marcone that if possible he could meet Mr. Stassi and if they could get together, Tony Stassi, that is, that if they could get together, he could possibly get a part in handling the narcotics or buying it and if possible to visit me in Atlanta with my wife and come and visit on a future visit and she agreed and said she would do that.

I said I would keep in touch with her by mail and refer to Mr. Stassi as Mr. Duval or Doval as a lawyer and with Mr. Marcone as my brother or cousin and Mr. "

MP: KADISH: Is that together?

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at one time alone --

spoke to him and both I and Mr. Stassi spoke to him and T

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2 Q The three of you had a conversation?

At one time, yes. He assured us that he had heard something from his friends, how I do not know. had a visit somewhere in the interim, I believe, or a letter, or his partner had a visit, someone. I don't know. He said that they would be there and the second time I spoke to him, I spoke to him alone and he became not angry, a bit disturbed and he said didn't I have any faith in him and I said yes, but it has been a long time and we have people that have been contacted, waiting, hanging fire and he showed me a card that he said he had received which means to him that there would be something soon. The card we discussed, it was postmarked Watertown, New York and I said that was up near Canada and he said yes, he knew possibly they were waiting for goods to come in or waiting for one of the Frenchmen to come in from either Montreal or Toronto. He didn't say, we just speculated, and he said to be patient and we said okay, we would wait.

I had gone into a period of doldrums, nothing happening.

THE COURT: What was that, doldrums?
THE WITNESS: Yes.

O Did there come a time when you had heard that a narcotic load had come in?

1 Verzino - direct 1347 rks Yes, I did. 3 When did you learn that and from who? 4 It was in the fall, either late September or 5 early October, some time. I believe it was October going 6 into November. Mr. Stassi got a visit and I got a visit almost simultaneously and I don't recall how I learned 8 first. 9 You had a visit from whom? 10 My wife. 11 That is Suzie? 12 Yes. She had told me that Mr. Sorenson had 13 brought 2 kilograms of narcotics, junk, over to the house 14 and that she had sold one to an ex-brother-in-law of hors 15 by the name of Billy Batts, Billy Bentventna and the other 16 she had put in a safety deposit box. She told me she 17 got \$13,000 for one of the kilos and Mr. Stassi informed 18 me that they had gotten merchandise, that the Frenchmen had 19 come up with merchandise, I believe 120 kilograms. 20 How did Mr. Stassi tell you he had learned that? 21 From his brother. What was your discussion with Joseph Stassa in total as you recall it? 21 A I recall it in gist. He told me that the entire load had been disposed of and that it had done

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self.

the Malizia brothers and another man named Al, and to tell the Frenchmen all the money had been paid and I recall the term being used hours, within 48 hours or something, and that his brother had had to go on and wait until the early morning hours when the delivery was made for the balance of the money and then he went back to the Frenchies and took the rest of the merchandise and delivered it and that he had met a man named Al there, Al Borduch and T said yes, I know who he meant and he said he was the main guy and he brought the money. I said I didn't know whether he was the main guy or not, I know he was with him and I told him that we had gotten the 2 kilograms, and I thought there was another half or could I buy some more merchandise.

He said make it up the next tim. The Frenchmen had said they would be coming back very soon with a larger 1001.

Then I went and told Otvos and Perna that all had gone well and I told Perna we had gotten two packages and I told my wife to take the other package and give to to Cutaic, Cuzzie Starez and she said she would because Mr. Screnson was either busy or unable or inwilling to make the delivery to Suarez and my wife should do it her-

1	rks	Verzino - direct	1349
2	М	MR. KAPISH: May I approach the bench on a	ì
3	matter?		
4	(	Side bar.)	
5	М	R. KADISH: Agent Bradley came in and stay	ed
6	in the room	. There was an understanding, I thought,	
7	that the ag	ent would stay out since he could be recall	€d.
8	М	R. NESLAND: Every time these agents are co	or. 3
9	they can't	come in and listen?	
10	T	HE COURT: I don't see any purpose in have	
11	him come in		
12	MI	R. KADISH: We may recall him.	
13	TI	HE COURT: We might as well have him stay o	ut.
14	MI	R. KADISH: I thought we had an understandi	ng.
15	TI	HE COURT: He is a key witness so we will h	ave
16	him stay out	t.	
17	(1	In open court.)	
18	Q Wa	as there any discussion with anybody about	
19	Suzie handli	ing the goods?	
20	A Ye	es. I discussed it with Perna and Mr. Sta	assi
,,	Joseph Stass	i and Mr. Stassi told me that in princip o	ne
	was opposed	to my wife handling the goods and I said	
3	TI	TE COURT: Opposed, you said?	
4	TH	E WITNESS: Yes.	
5	A (C	ontinuing) I said I had no on clas because	ie.

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it was our understanding that Mr. Sorenson would have effected that but that he merely just dumped the packages there and told my wife what coes she want to earn sitting watching TV, so I had no choice and we left that at that, that my wife would give it to Mrs. Suarez.

Q Was there any conversation during that period of time as to where the money had come from to pay for the narcotics that had been delivered on the outside?

brother had to borrow a large sum, \$100,000 or so from a friend of his, a druggist, and that some of the money -
I don't recall how much he said. Possibly \$60,000,

\$70,000, somewhere in that vicinity, had been given to then in front by the Malizia brothers and that the rest of the moneys had been paid over late that morning in order that they could go back and get the balance of the load.

There had been passed originally between 30 and 40 kilograms at the onset, the rest later.

- as to what you would do now that the first load had some i
  - A Yes, where was.
  - C What was that conversation and where was in?
- it would be best if she had got all the money that she

Verzino - direct

could together, that the next time to try to give the money to Mr. Stassi, Tony Stassi that is, Bubby, ahead of time and that her brother-in-law should get whatever moneys --

Q By the brother-in-law, Billy Batts?

Would have in the neighborhood of over \$100,000 that he had taken the first package merely as a trial package and that he was satisfied with the price and whatever. I said try to get all the money you can together. Tell Cuzzie to get her money together and the next time try to buy as much as you can plus what you get and you handle Cuzzie. She said she had gotten two safety-deposit boxes. Put it away then come down here and if we can't get somebody to handle it, you can handle Cuzzie and she said she would and then she left and just waited.

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1 1 cosr Verzino - direct Did they visit you often during that period at 0 3 the Fall? 4 Λ Yes. 5 Did there come a time that you learned that, in 6 fact, another load had come in? A Yes, there did. 8 O How did you learn that initially and when? V 9 A I learned it from Joe Stassi. He told me he had 10 cotten a visit and he said that a second load has come and 11 I recall, if I am correct, I am not sure, 140 kilograms. 12 O How many had the first load been? 13 A In total I think 120. I recall 120. My wife 14 had been given two and bought two and I also got a visit 15 at approximately th me time --16 THE COURT: What time was it? 17 0 What was the time period? 18 A Sometime in early November, I believe. I am not 19 sure. It was in November of 1970 and my wife told me that 21 she had gotten two, you know, as payment for me and havet two and she said that she had paid, I think it was. 20.000 for the two and I remarked that the figure was rather but that was the liqure the other customers had paid. 24 Q then you say 28,000, do you mean for both o to

or a picce?

1	2 eosr Verzino - direct
2	A For both.
3	O Fourteen thousand apiece?
4	A She said she had given, however, a thousand extra
5	that was supposed to be given back to her and that Mr.
6	Sorenson owed her \$2,500 because she had given or Billy Batt
7	had taken in company with her five kilograms and the profit
8	amounted to some \$5,000, according to Mr. Sorenson, and that
9	he took half, 2,500, and that she was to receive half, but
10	he was holding the money for her in order, as he put it,
11	to invest.
12	She seemed angry about it and I was angry about
13	it and I told her I would tell Mr. Stassi and get it station
14	tened out.
15	I did tell Mr. Stassi and he said that the money
16	would be returned and it was eventually.
17	Q Do you recall how it came about that it was
is .	returned?
[9	A Well, I recall when my wife told me, yes.
20	Q What did she tell you?
:	A That Tony Stassi and Booby came to her abar ent
2	and gave her 12,500 or most of it, I believe. I am not sure.
3	There was still a thousand ewed and by my reckoning a neif
1	a package from the first load and a half a package from
5	second Toal, which I hidn't press because Mr. Stabsi h

is

the holidays, meaning Christmas and New Year's, and that
the Frenchman had said it would be a very big load and
I assumed that we would then straighten it out.

I told him that after that time I would like my hand in money. He didn't like the idea and he was right.

I said that it was not good for my wife to be handling the merchandise but she had no one else to handle it for her.

holidays and then we would make arrangements because wife had been complaining, too, that Booky had been cross with her and told her that his Frenchman had given him a lighter for Christmas and, generally speaking, he was putting on the dog that it was his Frenchman.

I said to Mr. Stassi, he has already become a boss and Joe says to me that he had meant to talk to me about something, that his brother Tony had made Booky partner and what did I think.

had been getting a fair arrangement as it was.

Some son had wasted a great deal of money, that he had been set its a great deal of roney and where told we

boid, use s. 1,060?

l	5 eosr	Verzino - direct 1356
2	Α	They said that some of the money was to have
3	been re	
4	0	Did he tell you why?
5	Α	Well, because one package, he said, we should
6		ning to us anyway and that the money should be
7	returned	
8		MR. GARLAND: Can we have a date?
9	0	Do you recall approximately when it was that
10	you reso	
1	Α	Sometime in the late Fall.
2	ç	You testified that Joe Stassi had told you that
3		oad was expected either before or after the heli-
4	days.	
5	A	Yes.
6	Ő	Did that ever come in to your knowledge?
ï	A	Not to my knowledge.
:	2	Did you have any discussions as to what was
	doing on?	
	Λ	"es, many.
		Who did you have these discussions with
	A	Joh Stassi, Otvos, with Porna are other persons
	later.	
	0	Did there come a time that you had a discu
	with environ	by about the evact arount of party ice than

He said that Mario had written Booby a letter

asking him for money and that Booby was pretty peeved about

it and he said that he was pretty peeved with Boc and

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his brother Tony had told him that there was a large amount of money missing; that Booby had owed a large amount of money.

O Did he say approximately how much?

A The figure \$260,000 sticks in my head. It was close to a quarter of a million.

He said that Booby had used the excuse that he held the money because mine and Mario's and it was our hand and his and that he was holding it for us.

I said that I had no arrangement with booky as far as I was concerned excepting for what was short on the prior load, which I never pursued actively. I assumed it would be made up, but that I had nothing coming except what I had agreed to and Sorenson said that it wasn't true, he had no reason to hold any money for me, but that I couldn't answer for Perna, but I would go and ask Perna to thrash it out, which I did.

money and I said to tell me the truth because, I said.

Joe is mad. He feels possibly that sere band is going on, that ve're scheming, detting more that we are supposed to and that Bobby supposedly had been short noney and that all it was a bad situation and it shouldn't exact and Perna said to me, yes, he had sent some above money.

Verzino - direct

another sister, I believe it was Clara, it might have been another sister, and that Booby had brought a thousand dollars and had taken the attitude that Mario was imposing on him or passed some remark which indicated that Mario was imposing on him.

I asked him why he did this without telling us because he had drawn down \$5,000 from monies that he and I had in the kitty and that should have been sufficient for his needs in the prison or whatever.

He said that he just wanted to see, he hadn't heard from Booby and that he felt hurt that Booby never got in touch with him and that he wanted to see if Booby was, indeed, you know, his friend and get in touch with him and that was the story.

He said, you had better tell the old man because it looks like we are conniving. It didn't look good and he said he would.

If I recall correctly, we walked down and we spoke to Joe about it and he said that he believed it, but, in any event, the money was missing and something should be done about it. He said he would speak to his brother about it.

- O When did Mario Perna get released from prison?
- A \* In May, I think, of 1972.

1	9 eosr Verzino - direct 1360
2	Q Were there any conversations with Mario Perna
3	before he was released?
4	A Yes, there were.
5	O Who had conversations with him?
6	A I did, Mr. Stassi did.
7	Q Did you have any conversations with you, Mario
/ 8	and Mr. Joseph Stassi?
9	A Yes, one or two, I believe. At least one.
10	Q Do you recall the substance of those conve.sa-
11	tions and who said what?
12	A That when Mario got out that Tony Stass. would
13	get in touch with him in the event that anything further
14	came of this and that he would handle what Booby had
15	been handling prior; that he should just wait and be patien
16	and there was some indication or messages from the
17	Frenchman during the interim between the last delivery and
18	the year or so or more that had elapsed and that if Mr.
19	Stassi received any further news, that he would get in
20	touch with Mario and Mario had a telephone number of ore
21	lawyer, not the address, a telephone number and he could
22	call there or Mr. Stassi would get in touch with him if
.33	Mario left a phone number at this lawyer's number.
21	O What is the lawyer's name?
25	A Buddy Franklin, Issae Franklin.

Verzino - direct

O There was a conversation between you and Mario before he went home, what was that?

A Approximately the same thing and Mario said that he would see Booby and find out what happened and why he had never heard from him.

I told Mario that I had some money from him, approximately 50,000 but I wanted to take some extra money because I had been running short.

He said all right, give him 40 and I said I would and I made an appointment with my wife to give Mario money on the first day he was home, which he subsequently picked up.

Q That was \$40,000?

A Yes.

O Had you previously given Mario Perna any money out of this?

A Yes.

Q How much had you given him and who was it delivered to and by whom?

A total of over 10,000. That is, I made arrangements for my wife in the visiting room to bring his niece.

down and my wife had given his niece, Miss Magnese, and,
I den't recall her name, I met her once, 5,000 and I had
had prior my wife give his sister Clara 5,000 and I had

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## Verzino - direct

sent sore monies, I don't recall the exact amount, a thousand or two, in that area, to pay some gambling debts of his and the various other monies to pay for certain services that he had gotten obligations.

- Q Have you given money to anybody else?
- A Yes, I did.
  - Ω Out of the proceeds that you had earned?
  - A Yes, I did.
  - Q Who did you give that money to and how?
- A A friend of ours came back to the prison. He had been in court and he eventually learned of what had happened.
  - O Who is that?

A Mr. Kapatos, Tom the Greek, and I gave him 5,000 initially because he had no money and he had just gone through some case which I depleted him, a new case, and later 2,500 more and Mr. Stassi told me that he had sent him, I believe he said, 10,000 at that time.

- Ω That is Tom Kapatos?
- A Yes.
- 0 When were you released, August 1973?
- Λ 1973.
- O Did there come a time that you had any further conversation with Joseph Stassi about any narcotics coming

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12 eosr

Verzino - direct

in :

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happened and once he told me that the Frenchman, according to the news he had received, had had some problem in France. Some heroin had been seized in France, but, however, it was all right and that once supposedly a load was supposed to come in in Florida and that the Malizzas and them had been down there and there was a whole bunch of people down there at the time, but however nothing happened. Either the load never come in, the ship got sidetracked or something, I don't exactly recall what became of it, but it never eventually arrived.

Q Did there come a time when you had any conversation with him about another deal Tony Stassi had worked out?

A He said that his brother had been offered one time that if he could pick up the narcotics in Canada. that he could pay 20 or 21,000 for it.

O Do you recall approximately when this corversation occurred?

A Sometime after Mario had gone hore and I believe it was anyway, I'm not really sure because it was an isolated conversation, and I said I didn't think it was a good deal because Tony or whoever was handling it would

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13 eosr Verzino - direct

be put in the position of assuming a deliveryman's responsibilities. That they would be made smugglers. For a thousand or two, if that was the going figure by that time, offer him a thousand or two more to deliver it here.

He seemed to have already agreed to that; that he thought it was not a good idea and it was just a conversation in passing.

O Did you have any Conversation with Joseph Stassi after Mario had left as to whether or not Mario had met with Tony?

A Yes, I had at least one. He told me that he seemed a little annoyed. He said that Mario had shown up with one of the Pontiac brothers.

Ω Did he tell you which one?

A I don't recall. I recall him saying Pontiac, but I don't recall which one of the brothers. I assumed it was Ernest.

At that time I assumed it was Ernest and he said that -- he asked me how Ernest would have dotten in touch with his brother or he asked me did Mario.

I said I don't know, you know, I'm here.

At that time the Malizia brothers were funitives and Joe was a little annoyed that one of them should to

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up with Mario to see his brother and he asked me had I heard from Mario.

And I said, no, I had gotten one card, but I hadn't heard any further.

That Mario had married Mrs. Suarez.

- O Did you have any conversation with Joseph Stassi before you went home in August of 1973?
  - A Yes, I did.
- Q What conversation did you have with him then as to what he would do when you went home?

A I asked him what he thought, if I should wait to hear from his brother. He said, yes, wait to hear from his brother, that his brother would get in touch with me, that he could get the number from, if I didn't have the same number because I told him I may move, that I could leave the number at his house and his brother would get the number there and that he would get in touch with me.

I said in the event he doesn't, I'll wait autile and then I'll strike out on my own, but I won't appround the Frenchmen if you still have anything going with him.

my can or something or other, whether it be narcotics at not, because my monies were running out during the ti

1	15 eosr	Verzino - direct 366
2	I had bee	n in and that I would need to make some money.
3		He agreed and I left on that agreement.
4	Q	Had you previously obtained the names and
5	addresses	of a number of Frenchmen while you were in
6	Atlanta?	
7	λ	Some Frenchmen in Atlanta, yes.
8	Q	When you left prison did there come a time that
9	you met Ma	ario Perna?
10	Α	Yes, there did.
11	Ũ	Where did you meet him for the first time?
12	A	In Brooklyn in front of an apartment where
13	was living	when I first came home, near the Conev Island
14	area.	
15		He called me up and I went downstairs to most
16	him. I me	t him and Malizía.
17	Q	Ernie Malizia?
18	Α	Yes.
19	Ω	What name was Errie Malizia using at that time?
20	A	Harry Luppes.
21	Q	At that time did you have a conversation with hi
22	λ	Yes, I did.
23	Q	Will you please tell the Court and jury what
24	the convers	sation was between you, Mario and Ernie Malisia:
25	λ	Mario asked me if I was mad at him and I see:

I asked why he didn't get in touch with me and

2 ves.

yes, I was, depending on the answers he could give me.

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4 he said he thought it was useless, that he didn't know

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what was going on. He had contact with Booby and he had

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spoken once or twice, I'm not clear, to Tony Stassi and

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that he felt that he had been cut out or that we had been

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cut out or that we had been cut out.

9

I asked him why.

10

He asked me did I think the old man was being

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sincere with him.

12

And I said, yes, as far as I thought, I thought

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he was, and I explained to him how I had left off in

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Atlanta and that it would be best to give Joe an opportunity

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not jump to conclusions, to give him opportunity to get

16 17 in touch with me and until then it would be best not to form any conclusions, but that I would like some answers

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from him as to why he never got in touch with me.

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He asked me if I knew a third load had come in.

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I said, no, I did not know a third load had

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come in and did he know, in fact.

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Malizia said he shought also a third load h i

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come in.

I said I knew nothing of it am I had no i

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ention the such a shing he happened.

1	17 eosr Verzino - direct 1968
2	He said to me, well, did I know that Joe sent.
3	25,000 more to the Greek?
4	I said no, I did not know that and I didn't
5	know it was a fact.
6	Did he know it was the fact and he said he had
7	heard so.
8	I said, well, you can't jump to conclusions.
9	I don't think the old man would lie to us and the best
10	thing we can do is wait and see.
11	Tony said that he told me that Booby and Tong
12	owed him \$25,000 for some transaction or some agreement or
13	loan.
14	I said, well, I don't know anything about it.
15	Ernie then asked me if I want to go partners
16	with them and I said yes.
17	He said, can you get in touch with Joe?
18	MR. GARLAND: May we have a date on this:
19	O When was this conversation between the three
30	of you?
21	A This would have been very early in September,
12	possibly the last of August, you know, the first weer
3	so I was home.
4	I said that, no, I didn't want to get in the said
5	

ton them began receiving name dies in a och

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Yes.

brother, and he told me that he hadn't heard anything

1 20 eosr Verzino - direct his brother, but to wait and see. 3 I says, okay. I told him I would wait awhile, but that in the meantime I had through necessity or through 4 5 plans of my own been doing something on my own, you know, 6 and that if I could do anything for him I would, you know. 7 He said, okay, and we left it at that. He told me some small services I could perform 0 for him and I said I would. 10 Where did you receive that telephone call? 11 At his home. 12 Who was present? His wife initially spoke to him and then I spoke 14 a period of two or three minutes. 15 Q When was the second time you had had a conversation 16 with Joe Stassi and where? 17 A . The same, over the phone at his home sometime 18 around the holidays, I believe it was, or directly after. 19 The holidays meaning of 1973? Yes, sir. THE COURT: Christmas and New Year's? THE WITNESS: Yes, sometime in that area. 23 Where does Frances Stassi live? 0 24 In Brooklyn near the Sheepshead Bay section. 1 25 Who was there on the second occasion? 0

a parking lot in New, it and he got out of the car and

1 22 eosr Verzino - direct 1373 2 began to get out of the car with him. 3 I said, give me the package and I'll give you 4 a hand. I'll put it someplace and you tell the guy where .5 it is. 6 He said, no, I don't want the party to see you. 7 I said, why? 8 He said, I don't think you'll like him. 9 I said, it's Joe Candello. He said, yes. 10 I said, I would rather not see him. I would 11 rather not have him know we are together. 12 And he said, okay and he left. 13 He came back and he was angry and I asked him 14 why he was angry. He had the package with him, as I 15 recall. 16 He said, he sent his girl friend to get the 17 package, he said, and he was supposed to be here and pay 13 the money that he owed from prior. He said, so he was 19 going to leave. I said, well, maybe it is a good idea to drop 21 him. 23 Yes, he said, I was going to tell Mario that. 23 We left and we went to the Bronx to a Chinese 24 restaurant that we were frequenting in the upper Bron . 25

We saw Mr. Perna and he told Mr. Perna that

And Ernie said, yes, he'll give. Tel' hir

it's the end and shake him, meaning don't have anything more to do with him.

brought him the money. I am sure that Mario did because later Mario told me that he had had a conversation wity Joey concerning Booby, some remark that Booby passed to him in which Booby said that if he got any more goods, that Mario and them would be last on line and the highest prices.

I asked Mario does he know that I am with him and Mario said no again.

I says, okay.

So, Mario started to get angry and I said, there's no sense batting around, either do something about it or don't do something about it, but in the meantime I think you have got a problem with Joe because he is going to keep calling your for money.

He said he wouldn't give him any more money. He said he wouldn't see him any more.

- O Did there come a time that you learned that.

  Ernie Malizia was arrested?
  - A Yes.
  - Q When was that?
- It was positime in December of 1973, hel-come

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1	25 eosr Verzino - direct 1376
2	Ω Did there come a time after Malizia was arrested
3	that you learned that Perna was arrested?
4	Λ Yes.
5	Q When was that?
6	A The first week of February 1974. I think it
7	was the first or the second.
8	Q Subsequent to Perna's arrest, did you learn
9	who the informant had been against Mario Perna?
10	A Yes, Joseph Condella.
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- 1	ecas Verzino - direct 1377
2	Q Who did you learn it was?
3	A Perna's wife told me that it had been Joseph
4	Condello.
5	Q Did you consider doing anything to Joseph
6	Condello after you learned he was an informant?
7	A Yes.
8	Q What did you have in mind to do?
V 9	A We discussed shooting him in order to keep him
10	from we didn't know what the case was because I had no
11	knowledge of what Perna had done with him. I had no knowledge
12	of what Condello knew.
13	I looked for him; I couldn't find him.
14	Ω Where did you go looking for him?
15	A In Newark.
16	Q What did you do?
17	A I went and asked someone in Newark my friend
18	went and asked someone in Newark where he could be found.
19	Q What was the purpose of that?
20	A To try to locate him in the event my friend
21	offered to shoot him or I had spoken about it. We had
22	discussed it and we hadn't made up our minds, but we we too
23	to find out primarily what it was all about because I didr'
21	know what Perna exactly had done with Condello. I had

heard on the Ladio that he had noted him a large search of

You had removed that from leferial souther

2:

Yes, ic did.

	Coass	101110
2	the defenda	ants in this case; is that correct?
3	Α .	That is true.
4	Q	After you arrest, were you jailed at Sing Sing
5	while you	were awaiting trial?
6	A	Yes, I was.
7	0 1	Were you charged with the narcotics that you had
8	sold to a	confidential informant and the narcotics that had
9	been seize	1?
10	Α :	Yes, I was.
11	Ω 1	While you were at Sing Sing, did you partici; etc
12	in an atter	mpt to escape from Sing Sing?
/13	Α :	Yes, I did.
14	S 1	Was that plan successful?
15	A 1	No.
16	1	MR. GARLAND: Can we have a time, please?
17	Q	When was this, if you recall?
18	A 3	This would have been late June or July, I don't
19	recall exac	ctly.
20	0 (	DE 1974?
21	Λ '	74, yes.
20	-6 1	The participated in that attempted escape with
23	you?	
21	<i>I</i> A	Well, someone had approached us and asked us
25	if we wante	ed out and I approached the man that was arrested

1	eoas4 Verzino - direct 1390
2	with me, a man named Frank Caravella and asked him if he
3	wanted to go. He said, no, but he indicated that another
4	person wanted to go, a man named Anthony D'Ambrosio.
5	THE COURT: Has this any relevance?
6	MR. NESLAND: No, I am just putting it out he
7	tried to escape.
8	THE COURT: We have that.
9	Q What happened after you tried to escape; were you
10	moved from Sing Sing?
11	A Yes, I was.
12	Q Were you taken to the Tombs?
13	A Yes, I was.
14	Q Did there come a time while you were jailed in
15	the Tombs, which is the Manhattan House of Detention, that
16	you agreed to cooperate with the Special Prosecutor's
17	Office in New York?
18	A Yes.
19	Q When did you first tell them, approximately,
20	that you would cooperate?
21	A Sometime late in August.
22	Q Of 1974?
23	A Yes, or early August, mid-August.
24	Did there come a tire after you had agreed to
25	cooperate with them that you haved to cooperate a

opportunity to investigate or prepare. 25

21

HE COURT: What objection is there to rella.

to allow us not to have the problem of not having t

them at this point?

MR. NESLAND: Because the witness is not in any kind of custody whatsoever and the witness is using the witness' name.

MR. GARLAND: I assume the witness will have to identify his or her name when they come in here so they are not in danger.

MR. NEWMAN: Judge may I suggest, along that line.

I am not privy to what Mr. Garland is talking about, but

I think there is a reason the Second Circuit case speaks

to the issue and I confess to your Monor that I den't area

whether it is the hour or the subject of all the testings

today that has left me euphoric, but I can't remember the

name of that case. I know it is a decision by Judge Fort

in the Western District of New York which was just allowed

that the Second Circuit spoke to the issue of giving

witnesses and put a certain burden on the government then

they refused to identify them.

I will have the rane of that case for you tomorrow morning, Judes. That is number on

THE COURT: It would be ever bett a 15 years the opinion.

MR. NEWMAN: All right, I would be not be

to my office to addit.

	20.
	*** 1405
1	2 rksr Verzino - cross
2	ANTHONY VERZINO, having previously been
3	duly sworn, resumed the stand and testified further
4	as follows:
5	CROSS-EXAMINATION [continued]
6	BY MR. NESLAND:
7	Q You testified yesterday that Ernest Malizia was
8	arrested approximately September of 1973.
9	After Malizia was arrested, did you do anything
10	to protect your narcotics business that you were engaging
11	in with him at that time?
12	A Yes, I did.
13	Q What did you do?
14	A I cleaned out Malizia's apartment. I took out
15	some records and some money out of his apartment.
16	Q What did you do with the records?
17	A Originally I took them home, some of them.
18	Some of them I took to another place.
19	Q You took some of the papers home, is that correct
20	A Yes.
21	Q What did you do with the money?
22	A I gave it to his wife.
23	

After your criest, did you do are hims clab

Malizia's wife?

Yes.

25

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1	3 rksr Verging a gross
2	o I .
	respect to the papers that you had kept that you had taken
3	from Malizia's apartment?
4	A Yes. I told my wife to give them to a cousin
5	of mine.
6	O What is that cousin's name?
17	A Guida Schorticelli.
8	l and the control of
9	Ω What is his occupation?
	A Court attendant.
10	Ω Did there come a time after you began cooperating
11	that you did anything with respect to those papers?
12	A Yes. I teld my cousin to turn them over to
13	the authorities.
14	
15	O Approximately when did you tell your cousin to
	do that?
16	A Approximately August or September of 1974.
17	Q You testified about a man by the name of
18	Albaduce. Do you know his true name?
19	A Yes.
20	
21	The first true frame;
22	A Albertiello.
23	C Have you had occasion to see him within the
	last few years?
24	A Yes.
25	O When did ou see him the last hims?

. 1	6 rksr	Verzino - cross
2	0	I show you what has been premarked Government a
3	Exhibit 11	for identification and ask you if you have see
4	that pictu	re before.
5	λ	Yes, I have.
i	0	Do you recognize the person in that picture?
7	A	Not from that picture, no.
3	0	I show you Government's Exhibit 7 in emidance
9	and ask yo	u if you recognize the person in this ploture?
10	Α	Yes, I do.
11	Q	Who is it?
12	V	The Frenchman, Jean Claud Gavos.
13	Ç	I show you what has been marked (everament's
11	Exhibit 12	for identification and ask you to look at the
15	and see if	you recognize what that is. Please look thoo is
16	it.	
17	V	It is a phone book that I had in my possession.
18		THE COURT: When you were arrested?
19		THE WITNESS: Yes, sir.

C Was that seized from you at the star

arrest?

1:

7 Yes.

1.7 MESUAND: The Government of the Exhibit 12. A copy of this has been prevaced by deferse coursel.

Verzino - cross

THE COURT: If you have all had copies of this,

MR. GARLAND: From the copies you don't know

THE COURT: I take it the Government is coing

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to connect it?

MR. NESLAND: Certainly.

I object to relevancy.

why do you need to look at them now?

what it says. We have Xcrox sheets.

MR. NEWMAN: I object on relevancy.

THE COURT: I will allow it on the Government's

representation.

[Government Exhibit 12 received in evi-

Q I direct your attention to one of the page. in that book. Would you please tell the Court and jury what appears on the left-hand side of that page, just reading everything that is in there.

A The initials GO and a telephone number 305 area code 472-7156. Beneath it in parenthesis, brackets, there is another number 920-6504. Then a number, area code 305-947-7254. Then the initials TY beneath that, 877-9636.

- Q With regard to the GO, what did that rofer
- A Tony Stassi.
- O Is that a nickname?

1	8 rksr	Verzino - cross
2	A	I don't know. That is the name his sister-in-
3	law called	him and my wife called him.
4	Ω	Who is the sister-in-law?
5	A	Frances Stassi.
G	Q	Those telephone numbers, what are thev?
7	A	Supposedly his telephone numbers as I understood
8	or one of	them.
9	0	The ones with the 305, are those Florida
10	telephone	numbers?
11	Α	Yes.
12	ç	The NY, what does that stand for?
13	A	New York, no area code.
11	Q	The 877 number, is that a New York telepho:
15	number?	
16	A	Yes, so I was told.
17	Q	Where did you receive those telephone numbers
18	and when?	
19	A	From Ernest Malizia sometime in the Fall of 1973.
20	Q	That was after you came home from Atlanta?
21	Α	Yes.
22	0	Did you make any attempt to call these must will
23	to reach ?	Cony Stassi?
24	Α	Yes, I did.

What has med?

### Verzino - cross

A I received no answer. One time I received,	
believe, a recording. I don't quite recall, either a	
recording or the phote was out of order.	

MR. GARLAND: We would like to register an objection as to the testimony concerning this book, the events with Malizia on the grounds that we have generally stated previously, as to scope, and pendency.

O I direct your attention to another portion of the book and please read the bottom three-quarters of that page, what appears on that page.

THE COURT: Keep your voice up.

- A First the word "office." Then 865-4692. Then beneath it the word "Franklin" 305-949-9096.
  - What are those telephone numbers?
- A I believe they were for Mr. Eddie Franklin, Joe Stassi's lawyer,
  - Q Do you recall where you obtained those?
- A One of them at least from Joe Stassi and one from Malizia.
- Q I show you Government's Exhibit 13 for identification and ask you to look at that and tell me what to is.
  - A It is a photograph.
  - Q Do you know any of those people in the photogram

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1	ll rksr	Verzino - cross	
2	0	I show you what has been premarked	Government's
3	Exhibit 31	for identification and ask you to	look through
:	that and to	ll us what it is.	
5	Λ	It is a photo album belonging to m	y wife.
6	Q	I show you what has been premarked	Government's
7	Exhibit 31-	A for identification which was rem	noved from
8	Government'	s Exhibit 31 for identification and	d ask you if
9	you recogni	ze the people in that picture?	
10	Λ	Yes, I do.	
11	Q	Who are they?	
12	A	Mr. Joseph Stassi's wife and daugh	iter.
13		MR. NESLAND: The Government offer	s 31-A in
14	evidence.		
15		MR. NEWMAN: Judge, to all of thes	se, may I hav
16	a standing	objection?	
17		THE COURT: Yes.	
18		MR. NEWMAN: Or a sitting objection	n.
19		THE COURT: A sitting objection.	
20		MR. GARLAND: We object based on a	calcuance.
21	no showing	when this was taken.	
		THE COURT: I don't see that it	is releva.
23	but if the	Covernment represents to is sein-	to be

Da. NESI' : We claim it is relevant to a

the association setween Suzy Verzino, Mr. Verzino and

	474
1	12 rksr Verzinn - cross
2	Mr. Stassi and his family.
3	MR. GARLAND: The point in time has to be es-
4	tablished. The person familiar with the point in time
5	and where ought to be produced.
6	THE COURT: I don't see that it can possibly
. 7	be prejudicial.
8	MR. GARLAND: I think they ought to go by
9	the rules.
10	THE COURT: It is a picture of the defendant's
11	wife and daughter, is that it?
12	MR. NESLAND: I will put in a number of
13	pictures.
14	THE COURT: I don't see what you are proving.
15	MR. NESLAND: I have to prove the relationship
16	between this man and Joseph Stassi, the kind of relation-
17	ship they had.
18	THE COURT: You are proving it to show that he
19	had in his possession pictures?
20	MR. NESLAND: That is correct.
21	
2.2	MR. GARINED: First he has to establish which these pictures were ever in his possession.
	products very aver in his possession we have

MR. MESLAMD: "ou can argue the ...

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25

Mr. CARIATE: It is a question of proof in or

wore taken, thether they tere taken after the indistment

Where did you introduce Suzy Versino to Jeteph Stassi?

7:

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THE COUPT: The objection is that there



1	5	r	k	S	r

# Verzino - cross

THE WITNESS: Yes.

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THE COURT: Under what circumstances?

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THE WITNESS: In the visiting room.

5

THE COURT: You saw those pictures?

6

THE WITNESS: The last picture.

7

MR. NADEN: I don't know if the examination is

finished on the last photograph but I thought Mr. Nesland -

9

THE COURT: I can't hear you.

10

MR. MADEN: I thought the examination had not

11

been completed on the prior photograph as to qualifying

12

it in accordance with the Court's recommendation that

13

the Government qualify that photograph. I think Mr. Nesland

14

sort of avoided that and went onto the mouse picture.

15

THE COURT: The mouse picture is now being

16 17

offered. I don't think it is tremendously important and therefore I am not being as reticent as I am usually

13

with respect to identifying pictures.

19

MR. NESLAND: I offer it.

20

THE COURT: Received.

[Government's Exhibit 31-B received in

evidence.!

MR. HADSIN: Can we see the mease picture?

has been marked.

And that " ; From Stassi's mouse?

	478 (419)			
1	16 rksr Verzino - cross			
2	A So I have been told.			
3	Q What was the name of the mouse?			
4	A Pepino.			
5	Q I show you what has been marked Government's			
6	Exhibit 31-C for identification which was removed from			
7	Government's Exhibit 31 and ask you if you recognize the			
8	people in that picture.			
9	A Yes, I do.			
10	Q Who are the people in that picture?			
11	A My wife, Mrs. Fran Stassi and Tom Kapatos'			
15	girl friend.			
13				
14				
15				
16				
17				
18				
19				
20				

T3 am

1	jps Verzino - direct 1420
2	Q When were you introduced to Tom Kapatos's girl
3	friend?
4	A In Atlanta in the visiting room.
5	MR. GARLAND: Can we see the picture?
6	MR. NESLAND: Government is offering Government
7	Exhibit 31-C for identification.
8	MR. GARLAND: We request before he offers it
9	that we be allowed to see it.
10	O I show you what's marked Government's Exhibit 31-1
11	for identification which has been removed from Government's
12	1 for identification and ask you to look at the people
13	in that picture and tell me if you can recognize them?
14	A Yes.
15	Q Who are they?
16	A It is my wife, Mrs. Stassi and Mrs. Stassi's
17	daughter.
18	Q Can you tell by looking at that picture what the
19	event was?
20,	A Yes, it was the feast, San Gennaro.
21	O Where was that held?
22	A Over here near Mott Street.
23	MR. NESLAND: Government offers Covernment
24	31-D in evidence.
0.	un unur taliant takini blancum

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1	
.2	cumulative at this point.
3	THE COURT: That objection is overruled.
4	
5	(Government's Exhibits 31-C and D were received
6	in evidence.)
7	Q I show you what has been marked Government's
8	31-E for identification, removed from Government's 31 for
9	identification, and ask you if you recognize the people
10	in that picture and what that picture reflects?
11	A Yes. It is my wife, Mr. Stassi's wife, Mr.
12	Stassi's daughter and Mr. Stassi's granddaughter.
13	Ω Can you tell by looking at that picture what
14	the event was?
15	A This was Christmas.
16	MR. NESLAND: Government offers Government's 31-8
17	for identification into evidence.
18	(Government's Exhibit 31-E was received in
19	evidence.)
20	MR. NESLAND: May I have this marked Government's
21	Exhibit 32 for identification.

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(Scrapbook marked Coverscent's Example 32 for identification.)

Q I show you what has been marked as Government. a 32 for identification and look at that and cell us wh

1	ps3	Verzino - direct	422
2	you recogn:	ize that as?	
3	A	It is a picture album I had in Atlanta.	
4		MR. KADISH: In Atlanta?	
5		THE WITNESS: Yes.	
6		THE COURT: All of those pictures you had	in
7	Atlanta Pe	nitentiary?	
8		THE WITNESS: Yes.	
9		MR. NESLAND: May the record reflect I am	
10	removing f	rom Government's Exhibit 32 for identificati	on
11	one of the	pictures which I would ask that it be marke	d
12	Government	's Exhibit 32-A for identification.	
13	Q	I show you what's been marked Government's	32-A
14	for identi	fication and ask you if you recognize the pe	ople
15	in that pi	cture?	
16	A	Yes, I do.	
17	Q	Tell us who each of those people are?	
18	λ	My wife, Mr. Stassi's wife, my mother, my	
19	father.		
20	!	MR. NESLAND: Government offers 32-A for	
21	identifica	ntion into evidence.	
22		THE COURT: Did you have that picture in	
23	Atlanta?		
21		THE WITNESS: Yes.	
25		MR. GARLAND: Your Horor, we think that in	7

1	ps4 Verzino - direct
2	ence to pictures like that, he should state when it was
3	taken.
4	THE COURT: He said he had it in Atlanta.
5	MR. GARLAND: I understand. It is important
6	THE COURT: You can cross-examine h im or voir
i	dire him.
8	MR. GARLAND: It dosn't go to admissibility.
9	THE COURT: If it is not going to admissibility,
10	you can cross-examine him on it when you cross-examine.
11	(Government's Exhibit 32- A was received
12	in evidence.)
13	Q Now, I show you what's in evidence as Govern-
14	ment's 32-A and ask you to mark above your wife Suzie
15	Verzino an "S". Now would you please mark above "Frances'
16	an "F". And the other two in there are your parents,
17	your mother and your father?
18	A Yes.
19	Q Now, on Government's Exhibit 31-0 which is in
20	evidence, I ask you to 1 . above Mr. Stassi's daughter
21	what is her name?
2	A laanne.
ప	Q Would you please initial ar "b".
34	Now, Mr. Verzino, while you were in Atlanta.
25	did you correspond with your wife who was then your oil

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Don't try to speculate why.

MR. NESLAND: May the record reflect I am now reading Government's Exhibit 20 in evidence.

"Dearest Suzie:

"Just a few lines to let you know that I received your last letter and was glad to hear all was well. I myself have been basically fine but had my back teeth pulled, so I have been a little under the weather lately. I am sorry, honey, that I forgot your birthday but the truth is unless you had reminded me about your birthday, I would never remembered. Your letter reminded me that it is my father's birthday some time this menth."

- When is your father's birthday?
- A In October.
- When is your wife's birthday?
- A September.
- a card hoping it makes it in time. I'm sorry I never remember those things unless I am reminded. It is fault I have always had. I can't even remember my solution birthday and that's the truth. Suzie. It must seem terrible to you but believe me, baby, I'm awfully sorr and feel terrible about it. Especially ma, I wouldn't

1	ps10 Verzino - direct 1429
2	hurt for all the world, but I just forgot days and can't
3	help it. Honey, don't be mad about me. I really felt
4	bad"
5	MR. KADISH: What is the relevance of this?
6	MR. NESLAND: Your Honor, you have to listen
7	to the letters. I will read each one of them.
8	THE COURT: Can't you come to the relevant
9	parts?
10	MR. NESLAND: May the record reflect I will just
11	read portions of these letters.
12	THE COURT: Read portions that you think are
13	relevant.
14	MR. GARLAND: At the time he identified he
15	as Government's Exhibit 20, could be indicate the date of
16	the letter that appears on the envelopes?
17	THE COURT: I'm sorry?
18	MR. GARLAND: If the date of the letter
19	appears on the envelope
20 .	O Do you recall when you had your teeth bulled?
21	A Not exactly.
	ME. NESLAND: There is no date on this particul
©	letter.
24	MF. GARLAND: If it does, would be indicate to
25	O Do you re all when you had your seeth pulled

1	psll	Verzino - direct	1430
2	A	Not exactly, no. Some time in '69 or '70	
3	Q	'69 or '70?	
4	Λ	As I recall, I'm not sure.	
5	Q	Did you have them pulled in Atlanta while you	011
6	were in pr	ison?	
7	A	Yes.	
8		THE COURT: No dates on these letters,	Ï
9	take it?		
0		MR. NESLAND: On this letter there is not.	
1	0	Some time in 1969 or '70 that you had your	
2	teeth pull	ed?	
3	Λ	To the best I can recall, yes. Over the	years
4	I had seve	ral teeth pulled.	
5	Q	And the month of your wife's birthday is	
6	September	and the month of your father's birthday is	
7	October?		
8	A	Yes.	
9	Q	The portion of the letter:	
9		"Honey, when you come down, please tell Fra-	n
1	1'd 1	the her to come with you and Joe luo agrees	
2	for h	usband rends regards and I duess as already	toi
5	her to	o come. If not you tell her. It will	Le
4	good	to see both of you."	

Who is the "ran referred to in to the

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- A Mrs. Stassi.
- O Who is the Joe referred to in that letter?
- A Joseph Stassi.

MR. NESLAND: May the record reflect that T am reading Government's Exhibit 21 in portion thereof, the letter itself is dated September 16, 1969:

"I received your latest letter about Pepino and although I was happy to hear from you, I was saddened to hear that the little fellow died.

It seems almost comical to become attached to a mouse and yet I can realize how it can happen.

Tell Fran I said hello and send my love, and I am anxiously waiting to hear how her husband is feeling. I miss him very much and hope that he is doing well. And doing well. Give her my sincerest and best wishes. In a way he is like an older brother to me. Because he is a man in the truest sense of the word. A m. that I have met none better."

Who is Perino?

- A It is the mouse they told me show
- O Who is Fran?
- A Frances Stassi.
- O Who were ou referring to as the mar that ye

---- ---- ----

met none better, the man in the truest sense of the word?

A Joe Stassi.

MR. NESLAND: May the record reflect I am reading Government's Exhibit 22 in evidence, a portion thereof dated March 8, 1970:

"Dear Suzie:

"Just a line or two to let you know I miss you terribly and hope you are fine and all. I have a great many things to tell you when I see y u and it is all good news."

Do you have a recollection of what you were referring to on that date?

A I believe I was referring to the conversation with Otvos.

MR. NESLAND: May the record reflect I am reading a portion of Government's Exhibit 23 in evidence which is dated:

"I have received your latetest letter and was very happy to hear from you and hoping you would do just as you suggested about the visit. I'm rather you come the last of April and the first of May."

Q Do you recall what visit you were referring to on that occasion?

A Yes.

1	ps14	Verzino - direct	1433
2	Q	What year were you referring to?	
3	A	1970.	
4	Q	And you were referring to April and May of	1970,
5	is that co	brrect?	
6	λ	Yes.	
7	0	This letter was written prior to that time?	,
8	A	Yes.	
9	Q	"P.S. I have some good news for you also.	."
0		What were you referring to at that time?	
1		MR. NEWMAN: Objection.	
2		May we have a side bar, please, your Honor?	?
3		(Side bar.)	
4	1	MR. NEWMAN: Your Honor, prior to this, I	bjecte
5	to the le	tters and I objected on the grounds of self-	
6	serving d	ocuments and premature	
7		THE COURT: They are not self-serving.	rhey
8	are state	ments in the course of the conspiracy.	
9		MR. NEWMAN: What they are being offered	for,
20	they are	being offered now really as prior consistent	
1	statement	s.	
2		THE COURT: No, they are not. They are	being
3	offered a	t least I assume they are being offered as s	ratio-
24	ments in	furtherance of the conspiracy.	
		un worden. Describ Abou are not really b	0:10.

Verzino - direct

(In open court)

MR. NESLAND: May the record reflect I am reading portions of Government Exhibit 24 in evidence.

Q It begins, "Dear Suzie," and skipping down,
"What we discussed is shaping up well and I am very
optimistic about it all. I will probably send for you in
June about the second week. I will let you know when to
come down and come alone, OK?"

Do you recall what you were referring to in that letter?

- A Yes.
- Q What were you referring to?
- A The plot or whatever you call it, with the Frenchman.
- Q Had you had a visit prior to the time you wrote the letter?
  - A What was the date of the letter?
- Q It is not dated but you said, "I will probably send for you in June about the second week."
  - A I suppose I had a visit.
- Q Do you recall --
  - A I had conversation with my wife on several visits. I don't recall exactly what dates they were.
    - MR. NADEN: In view of the fact that is say

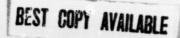
Red Marcone.

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Q Is that the Red Marcone that you previously testified you are reaching out to have handle your end.



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11	p	-	C
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## Verzino - direct

- Q Now, you commenced your cooperation in August of 1974, is that correct?
  - A Yes.
- Q At that time did you tell the Government about these shipments of narcotics?
  - A Yes.
- Q Did you tell the Government the truth about the shipments of narcotics?
  - A No.
- Q When for the first time did you tell the Government the truth about these shipments of narcotics?
- A Some time in March or April of th is year.

  MR. NESLAND: That's all the questions I have,
  your Honor.

it you don't want to start right now? It is now look o'clock and defense counsel have asked for a little extended time to prepare, and it seems to me that it is proper.

Why don't we just break now and we will resume at quarter of two. Be in the jury at that time. Try to be on time.

(Jury left the courtroom.)

MR. SEAR: Let the record further reflect that I am continuing to list additional items of 3500 mater in

## AFTERNOON SESSION

(In open court - jury present)

MR. NESLAND: I would ask the Court's permission to spend five minutes showing the pictures to the jury.

THE COURT: Why don't you do that some other

time.

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MR. NESLAND: All right.

CROSS-EXAMINATION

BY MR. KADISH:

Q Mr. Verzino, my name is Mark Hadish and I represent Anthony Stassi.

What is the date of your most redent arrest?

A February 25, 1974.

Q When was the first time after that arrest that you were approached by any government agent, be it federal or state, about cooperating with the authorities?

A That night.

Q Who approached you?

A I don't recall their names. There were so mary

of them there, I many't familiar we dether.

How many agents worse there that witht?

23 A I would say totally agents and tenctionaries.

24 twenty.

4 Vould you a list up?

ps7	Verzino -

- A Yes, I have.
- Q Do you have any knowledge of whether or not Mr. Cunningham gave that recording to the Federal authorities?

cross

A Yes, he did.

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- Q Do you know when he gave it to them?
- 7 A No, I do not know.
  - Q Now, is it fair to say that in your first conversation, I don't know if you had any others, during the at
    conversation with Mr. Cunningham of New York State, is it
    eir to say that any facts concerning the case on trial
    here did not come up?
    - A Would you rephrase that, please?
  - Q Is it fair to say that in that conversation with Mr. Cunningham of New York State you gave his no facts whatsoever which concerned the defendants on trial here?

    It didn't come up, this case?
  - A I would say that if I did tell him anything, I might have mentioned someone but the Stassis, no.
  - 2 So as to the Stassi brothers, their names didn't core up, you're pretty sure of that?
    - A It was asked but I fabricated as to them.
- 21 whatever you fold them was a lie anyway?
- 25 Encuse mo

1	jps . Verzino - cross	1406
2	A Is it fair to say that I didy	
3 .	Q You did not, you did not mention han	in the
4	next new meetings efter that?	
5	A I non't would because I was asked a	mut chemia
6	several times.	x
7	o. They was sacking information, paorle	s jane
8	asking you what the Stassi brothers, and	190 m
9	didn't say anything	9
)	A . A I said something, yes.	
1 9	Q After a while, but not at first?	NA ZM
2	A At first, yes.	
1	O Is it fair to say that first when you	a erd asko
4	about them, you said, "I don't know what you ar	ralking ;
5	about "?	31 4
6	A No. that's not what I said.	
7, 11	Q Or was to that offect. You did	ret implicat
A	them?	and the same
	A I diment implicate Mr. Joseph Stars	t, no.
	O And reason you didn't implicance.	then vas
12	because they were	the c you
	have related, is the to a fact?	OPY AVAILABLE
	A Mo, that's not a set	OFT AVAILABLE
( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	O Nows sow many hours of restings would	d da day

you had wish these Poderal ... | State agents through

Dina .

during that whole period of time the whole seven months

BY MR. GARLAND:

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O Mr. Verzino, you started your career selling heroin in 1959?

A Yes.

Q And sold heroin on a continuous basis until

SOUTHERN A RICH COURT PEPORTIES I'S COURTINGS

Vergino - cross rkas5 No. A MR. NESLAND: He didn't say jail. 3 MR. GARLAND: I think he answered the question. Q You had occasion to give an affidavit in 5 connection with a legal proceeding that was filed by 6 Mr. Stassi, did you not? 7 Yes, I did. 8 And you gave that affidavit and took an oath and 9 swore that the contents were true? 10 Yes. Α 11 You understand you have taken an oath here today? 12 0 Yes. A 13 You took an oath in front of Judge Weinstein. 14 0 Yes. A 15 Same kind of oath? 0 16 Yes. 17 You had occasion to meet Mr. Joseph Stassi, did 18 you not, in the penitentiary after the probation report 19 in your case revealed that your case had something to do 20 with the case he was in there on? 21 a No, I met him before I got the probation report. 22

Q And your probation report indicated that your

conduct had something to do with what he was accused of?

A Later, yes.

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That specific purpose, the affidavit, Walsh once

that I recall. Walsh ence for the taking --

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MR. NEGLAND: May the record reflect that the tape recording itself as being referred to was turned over to defense counsel for them to listen to prior to the trial.

MR. NEWMAN: I object to that colloquy.

May we have a side bar?

MR. GARLAND: I object to it too as being basically a misstatement.

prosecution is required by law to turn certain evidence over to the defense and among other things, if they didn't turn it over, they would have to upon my instruction.

The law doesn't require Mr. Newman to listen to the tape if he doesn't want to.

Q Do you recall in your conversations with Mr.

Cunningham or with Detective Persino, Detective Persino saying to you, "Tell me specifically what information can you give us now that you feel would be dynamite information, that we could work on and evaluate? In other words, if you said to us that X, Y and E were publicas and that they pulled from so-and-so and that their method of operation is this, something that we could furnish a unit to work with, and that if they build it unit dispars information proved to be correct and a big softwar in made, that

C Did you tell Cunningham and Persino, and the

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1 .	rks Verzino - cross 15.13
2	prosecutor knows the question, I think, that you would
3	take a lie detector test?
4	A I said -I would take a lie detector test on one
5	question, as to whether or not the arcotics I was arreste
6	with came from Mr. Sorsi and I said no and I will take a
7	lie detector test on it.
S	Q Did you use these words, "I am trying to tell
9	you something, the truth, see, and you can give me a lie
10	detector test, this is no bullshit."
11,	A I don't know. I remember the lie detector
12	test being used in the context of the goods I got caught
13	with, as to what its source was.
14	Q In any event, when you left that meeting, you
15	hadn't completed the objective of your scheme at that time,
16	had you, your problem of federal prosecution, your wife's
17	prosecution?
18	A I had no problem with federal prosecution.
19	Q You knew that you could be charged federally for
20	your conduct, didn't you?
21	A No. As a matter of fact, I was sure I wasn't
22	going to be charged federally.
23	Q You are positive, before you went to that
21	meeting?
25	A I would have bet on it, yes.

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Who?

A Three or four of them. Korniloff, Caffrey, Cunningham for the State, Mr. Fallon for the Federal people.

When?

A That they as a matter of giving me a graver charge for turning me over to the State on all these charges.

Q When were you told that?

A The night I was arrested and when I was indicted, it was evident. I mean I was indicted for everything I was arrested for by the State people and told that all charges would be turned over to the State in order to face graver punishment. So, therefore, the question doesn't exist of greater gravity.

Q And at the time you reached your agreement with them and tendered your plea to a court, that was in 1975, right?

A Yes.

Q What date, sir?

A I don't know. It was some time in July or August -- you are talking about the plea I took?

Q Yes, the plea you took?

A . Some time this year, in the summer,

1	jpas5 Verzino - cross
2	O That she was lonely and erjoyed the friendship
3	of Frances Stassi who befriended her, didn't she?
4	A Yes.
5	Q There was a difference in their ages how old
6	is your wife?
7	A Forty-two.
8	Q And to your knowledge, after you were released
9	after you were rearrested in February, your wife spent i
10	at Mr. Stassi's home on many occasions, after you were
n	first arrested in February.
12	A I can't answer that. I don't know.
i3	Q This was before you were
14	A I know she apont time with her. I know she was
15	in contact with her. I actually don't know or don't
16	remember if she spent any time in her home.
17	Q You tried to reach your wife at Mrs. Stassi's
p I	home by telephone when you were in prison.
9	A Yes.

And you did that because you thought that was where she probably was.

Yes.

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Q Now, did Mrs. Stass have any knowledge of the things you are testilying about here today, to your knowledge?

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Verzino - cross

- A Definitely not to my knowledge.
- Q And although your wife was frequently there and with her, she never discussed this to your knowledge with Mrs. Stassi.
  - A To my knowledge, no. I told her not to.
- Q And when your wife was associating with Mrs. Stass it was in no way connected with what you have testife about here, was it?
  - A No, it wasn't.
- THE COURT: Who was in no way knowing of this?

  Mrs. Stassi?
- MR. GARLAND: Mrs. Stassi. The contact between his wife and Mrs. Stassi is my question, your Honor, had nothing to dowith what he is testifying about as to whe allegedly went on.
  - THE COURT: Your answer to that was what?

    THE WITNESS: That's correct, yes.
- Q Now, when did you first -- were you ever advised after you were in custody that Mr. Stassi had ordered the killing of your wife?
  - A Something to that offect, yes.
    - THE COURT: He said when?
- MR. GARLAND: I started out to say when. I wanted
  to establish first if no did near it.

1	jpas7 Verzino - cross 1581
2	THE COURT: Oh, I sec.
3	Q When was it?
4	A Sometime after the New Year of 1975.
5	Q As best you can place it?
6	A Well, the most concrete time I would say would
7	have been around March or April of 1975.
8	Q Who told you?
9	A Well, I deduced it from something I was told
0	Q And who told you the thing that you were tol
1 1	that you deduced it from?
3	A Various persons, Mr. Nesland spoke about, an
, !	agent named Korniloff.
3	MR. KADISH: Who?
	THE WITNESS: An agent named Korniloff. I believe
	another witness told me, not connected with this case.
	Q Who was that other witness?
	A I am trying to recall. I don't exactly recall.
1	It was some person who told me later in the jail I was
	in, the day I had heard it, asked me about it. I shouldn't
4	say told me. They weren't quite clear as to the details.
	Q Who was the other person?
	A I just told you I cannot recall clearly.
!	Q An inmate in the prison?
	A There were many prisoners there.

,	507
1	jpas8 Verzino - cross 192
2	Q In what prison were you in at that time?
3	A A At that time I don't know if I should answer
4	that.
5	O All right. I won't press it.
6	A I was in a prison.
7	Q And you were there in protective custody
8	THE COURT: This is the time you were after
9	you started cooperating?
10	THE WITNESS: Yes, sir.
11	Q Now, the date in this prison that you mentioned,
12	what was the best date you could place it?
13	A Sometime in April.
14	Q What year?
15	A This year.
16	Q Now, that was before you entered your plea in the
17	state court, was it not?
18	A Yes, it was.
19	Q And that was before Mr. Cunningham said that
20	there was an agreement reached with you.
21	A No, there was an oral agreement that had been
22	discussed prior to that.
23	Q I see. Are you stating that Mr. Nesland told you
24	that Mr. Stassi had ordered your wife killed?
25	A No. I am stating that Mr. Nesland asked me

had ordered the execution of your wife.

A Yes. You could say that, yes.

Q That was . rprisin: to you since your wife hand

1	jpas Verzino - cross ! 1584
2	been in Mr. Stassi's home to your swledge, even after
3	you were arrested.
4	A Yes. It was surprising to me.
5	You believed it?
6	A Yes, I did.
7	Q . Of course, that affected the way you felt about
8	Mr. Stassi, didn't it?
9	A Yes, it certainly did.
10	Q Was it before or after you deduced that fact no
11	converted it to a belief that you decided you would name
12	Mr. Stassi?
13	A I decided to name Mr. Sta si after I, as you at
4	it, deduced that fact was true.
15 .	Q From the remarks and statements that had been
16	made to you.
17	A That's correct.
	Q And you realized from the questions that the our
9	of that information was Mr. Perna, didn't you?
20	A No, I didn't know who the source was. I ass of
1	that it could have been any one of several people.
22	O Now, you had occasion in August to be interviewed
23	by Ronald J. Caffrey, did on not, sir?
21	A Yes.
F 177	The state of the s

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- inside the penitentiary, had you not?
  - A Yes.
  - Q And you had engaged in heroin distribution and the penitentiary, did you not?
    - A I had engaged? No.
    - Q In concert with Mr. Perna you had engaged
    - A You are asking me if I was engaged in it?
    - Q Yes sir.
    - A I answered you no.
    - Q You split the profits, and you not?
    - A Yes.
    - e And in this instance --

THE COURT: Split what profits?

THE WITNESS: Crime profits.

THE COURT: This was in the institution?

THE WITNESS: Perna dave no part i his pro

MR. NADEN: I didn't hon hat.

of what he sold in the institution.

a later date variety one relates for the per tracer you found out that Alfred Tree and Treest and Jesoph Malizia had received some of the Appropriate that had brought in by Otype.

1	jpas Verzino - cross 154
2	A I don't know. I might have. I don't know.
3	Q I hand you this document and ask you to read it.
4	MR. NESLAND: I would ask him to identify the
5	document he is handing the witness.
6	MR. GARLAND: I will. It is 3502-H.
7	Q Does that document refresh your recollection
8	this
9	A Not completely, no.
10	Q Does it refresh it in part as to what you said?
11	A Yes, it does.
12	Ω Does it refresh it in part that you said the grugs
13	would be given to Mr. Batks from Mr. Otvos?
14	A It refreshes me to the extent that I probably did
15	say all that that is on that statement. But I just don't
16	recall exactly what I said.
17	Q And at that time when you told him you would
18	cooperate, you did not mention the name Stassi, did you, sir
19	A Mention him? Yes, I mentioned the name Stassi
20	but I didn't imp'icate the man, no.
21	w to a make and your stassi as having anything
22	to do vicin dress ered signest, did to . sic?
ינכ	7. In id the he was not involved to this. We
24	mergly dave to some come;
25	Q Now, you all to ter you told them that yo .

-	-	
 -	•	

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## Verzino - cross

tell her what to say, did you?

A I believe not. I can't answer the question absolutely because I may have. I don't recall any opportunity during that period of time.

ago, this conversation in which you told her if it occurred and you say now you don't recall doing that?

- A During that period of time, no.
- Q During what period of time do you recall telling her what to tell the Government?
  - A Prior to my cooperation.
  - Q When is that in point of time?
  - A While I was in the Tombs.
- Q And you planned the story with her as to what you were going to tell?

A No. I heard Mr. Stassi and some others were brought down and I assumed it was in relation to this and I thought possibly that Mr. Perna might be talking or anyone, anyone connected with it, and I told my wife that in the cont she was questioned and it seemed there was absolute proof to implicate me, Sorenson, Bentventna — Bentventna was, dead, and to generally muddy the water in order to keep Mr. Stassi out.

o of course you hadn't started or parating?

8		· · · · · · · · · · · · · · · · · · ·	159
4	1	ks4	Verzino - cross
		. A	At that time, no.
	0	17 7 18	
2	2	Q	Did you tell her the details?
	3	A	No, there was no need to tell her the details.
	4	She knew th	he details. She knew enough to fabricate a
4	5	simple stor	ry.
	6	Ω	She knew enough to fabricate like you were
	7	doing?	
	8	The same of the same of	
	0	Δ	That is right.
	9 -	-1	
是 后	1	2	If you know something, it is not too hard to
		fabricate	other parts?
	11	A	You only involve the omission of certain
di .	12		
	72.75	facts.	
	13	Q	Or the inclusion of facts which are certain
	14	false fact	s?
	15	A	That is right.
	5 .		
	16	Q	Then it becomes true once you do that, to
	17	congrate ti	he truth from the falsity, you know that?
		separace c	to accept the two controls and the control of the c
	18	λ.	Yes.
	-		
¥1.	19	Q	Were you made aware of when your wife first
	20	told the Go	overnment the truth?
	21	Α	No. I am still not aware of it. I am not
	22	aware wheth	per in fact she did or she didn't.
	20 .	Ũ	Wore you ever made aware of the fact that she
	24	said that	the purchaser was to be Mr. Batts, of the Otvos
	25	heroin?	

jpas \*

Verzino - cross

1608

THE WITNESS! It is just an expression. Per Control

"Isn't it crue that on a date in the latter part 131 July, early bart of August, that there came a time inside the library when you had a confrontation with Joseph Stassi and pushed him against the book shelves and books fell onto the alcor in the Atlanta penitentiary when --

THE COURT. Let him finish the question.

Que When Mr. Newman, Mr. Anderson, Mr. Callahan, Mr. Bowman were present.

A Mr. who?

Bowman Les Bowman.

A I don't know who he is. But as to the incident, no.

One Isn't it correct, sir, that it was in the same point of time as Mr. Stassi was leaving the library and an attempt by you to have him talk with you, and at that time present was Jake LaCaz and Mr. Vuono?

I answered no. The incident never occurred.

Did you ever say to Mr. Stassi, "Come back. I want to talk to you right outside the library"?

No

Did you ever make that statement to him following

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19:

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23

Jpas	verzino - cross
him out	of the library, "Stop, I want to talk to you"?
A .	No.
	And he gold to you "Cot aver from me T went
Julia De .	And he said to you, "Get away from me. I want
nothing t	o do with you"?
A	I answered the question. The incident didn'
occur.	
	Did he ever say to you, "Get away from me.
I don't w	ant to talk to you. I don't want anything to lo
with your	kind"?
λ	No.
	THE COURT Did be such as that to make in 6 and
	THE COURT! Did he ever say that to you in front
of the li	brary?
	THE WITNESS: He never said it to me any time,
any place	
The state of the s	Isn't it true that he walked to the back of the
backs of	the library shelves, and he came around the corner
and found	you in a homosexual act with Sandy, the queer?
A	With who?
Ω	With Sandy the Queer.
Α	You know some nice people. I'll answer you, no.
Q	Do you know Harold Robbins?
A	Who?
Ω	Harold Robbins.
A	Harold, no.
	him out of A Q hothing to A occur. Q I don't w with your A of the li any place Q backs of and found A Q A

1	jpas Verzino - cross 1610	語な
2	O Known as Sandy the Ouger?	11日本の
3	A I've answered you, no.	一種的なな
4	O Didn't Mr. Stassi catch you in a homosexual act	THE STATE OF
5	in the library with you on your knees, down on the private parts of Mr. Robbins?	大学というの
	A No.	これのないないか.
**	And didn't you tell him that you would get even	本しる物で ジ
9	with him because he told about you in the penitentiary	24.0
10	there?	W. R. S. S. S. S.
'n	A Absolutely not.	東京の日本
	Q Now, Mr. Verzino, when you held up your hand	Mary Control
3.4	and testified in front of Judge Weinfeld, you lied to held,	Contract of
14	didn't you?	
15	A Yes, I did.	The state of the state of
16	Q When you held up your hand and swore to the	
17	affidavits for Mr. Stassi, was it the truth or was it a	AAA TO
18	lie?	17 10 10 10 10 10 10 10 10 10 10 10 10 10
19	A In essence, it was the truth. I lied by	ALCOHOL:
20	omission or by going along with certain statements, other	
21	statements of other people. But in essence, it was the	
22	truth.	
23	Q Was it the truth or a lie? Did you tell the trut	****
24	or a lie?	

A You are anxing me if I told the touth or did the.

1	jpes	Verzino - cross 1511	
-2	I told	the truth except in one particular.	
3.3	Q'	Well, are you saying that something could be	
1	neither	th truth nor a lie at the same time?	
5	The W	It is compounded of many things. It could be al	Ll
6	trut.i.	all lie, or all truth that supports a lie.	
7	Q.	Could you say in your opinion you told the truth	1
./8	or you	1.ed?	
9	A	In my opinion, I lied.	4
10	Q	You lied?	
21	AND STATE OF THE PARTY.	My opinion, yes.	
12.	o o	You lied both times you took the oath in	
13.	Akmeno ca	ion with that?	20.4
14	A.	. I don't recall taking an oath, but if you say so	٥,
15	yes.		社門
16	Q	When you took the oath, anyway, you lied.	
17	A A	Yes. To my opinion, I lied, yes.	
15	Q	When you entered a plea of guilty in the case	2
19		ou say you were innocent, you perpetrated a lie and	a
20	misled	the Court, didn't you?	
21	Α	No, I didn't mislead the Court, no. No, not at	
22	all.		
. 23	0	You just did that for convenience.	
21	A	No, I did it on the judge's advice.  THE COURT: You told the judge you were inner.	•
25		This Court Four total the judge ye were since a	

...

1	jpas	Verzino - cross	16.13
2	A	To a point, yes.	
3	0	When you talked to your probation offices	and
4	told him	you had a job, you lied to him.	
5	A	Yes.	
6	Ω	For your convenience.	
7	A	I guess for his convenience too.	
8	Q	And when you had lied under oath before i	n a
9	courtroom	m, you had no remorse over it, did you, sir	?
10	A	None at all.	
11	0	And when you committed your other crimes,	you had
12	no remore	se, did you, sir?	
13	A	Totally, sometimes.	
14	Q	Sometimes?	
15	. A	Right.	
16	. 0	And isn't it correct, sir, it would be ha	rd to say
17	in your	ifetime, just how many times you have lied	
18	А	I would by it is impossible to say.	
19	Q	Even to your comrade, Mr. Culhane, you ev	en lied
50	to him al	out your French connection.	
21	A:	Yes.	
	· · ·	New, you have told us that Mr. Doval was	Mr. Stassi
20	is that r	right, Mr. Anthony Stassi?	
21	Λ	It was an appellation we used for him, "	s:
05			

mch \*\*\*

holding him today. I hope to get to that Simmons hearing.

If Matantuono doesn't go on today I would like to have the hearing at the end of the day. Mr. Bocchiccio has a conference in Washington tomorrow, so that if I can have it today I would like to have a Simmons hearing so that he can go back to Washington.

THE COURT: We will have to arrange for your sentence, Mr. Newman, which is on for 4:30.

MR. NEWMAN: Yes, before Judge Duffy.

THE COURT: What is the name o. the case?

MR. NEWMAN: United States v. Novak.

to Mr. Newman for calling my attention to United States v.

Cannone. Point 1, it in turn called my attention to United
States v. Baum, which I should have known about and undoubted
read at the time but had forgotten about, which establishes
that ordinarily a defendant should get at least or have disclosed to him the government's witnesses at the discretion
of the court. It should be incombent upon the government to
show why it shouldn't be disclosed. In this case the government has said, either on or off the record -- probably on -that it feels the witness would be endangered if he was disclosed prior to his appearance today and has advised me that
he is not in protective custody. That is adequate reason,

	520
1	mch 1731
2	I feel, for not giving the name. I certainly on the record
3	before me must say that that is a valid representation.
4	MR. NADEN: They are in protective custody.
5	THE COURT: They say they are not.
6	MR. NESLAND: The witness that I have not identi-
7	fied as an insider s not in protective custody. The ones
8	that were in protective custody you have known about.
9	MR. KADISH: Are you going to call him before or
10	after Matantuono? Why don't you give the list of your wit-
11	nesses so we will know where we stand.
12	MR. SEAR: They are all coming on right now.
13	THE COURT: Why don't you tell him?
14	MR. SEAR: I turned over the 3500 material on the
15	witnesses.
16	We have an Agent Lecates from Florida, two witness
17	from the Bell Telephone Company in Florida, King and Robert-
18	son. We have one New York City police officer by the name
19	of Gillespie. We have one witness from Atlanta who will
20	testify about certain procedures in the prison down there name
21	Williams.

THE COURT: Is that all?

23

24

MR. SEAR: There is another witness by the name of Williams, an agent from Atlanta. There is a DEA agent Greg Korniloff; two police officers, one by the name o'

A A prison official.

	1!	
	1	mch3 H. Williams-direct 1813
	2	by FBP." The present stamp, the one of June says "JUS
	3	434."
	4	Q The same stamp appears, however, and there is
	5	an addition of "JUS 434"; is that correct?
	6	A Yes.
	7	Q You still use the "Postage and fees paid FBP"?
	8	A Yes,
	9	Q I show you Exhibit 61 and ask you if you recognize
	10	that to be the visiting record of Jean Claude Otvos?
	11	A Yes, it would appear to be the visiting recor.
	12	of Jean Claude Otvos.
	13	MR. NESLAND: I offer it.
	14	THE COURT: Any objection?
	15	MR. KADISH: If we have some other visitation
	16	records that we would like to put into evidence at a later
	17	time, I would have no objection if we can do so without
	18	this witness.
	19	MR. GARLAND: No objection.
	20	THE COURT: Received.
хх	21	(Government Exhibit 61 received in evidence.)
	22	CROSS EXAMINATION
	23	BY MR. GARLAND:
	24	Q What is a shot in your lingo in the prison?
	25	A In the prison vernacular that is a misconduct repo

the asian and a support that the state of the

1	mch	H. Williams-cross 1814
2		Q Has Mr. Joseph Stassi ever had a shot?
3		A Not to my knowledge.
		Q And you were his parole officer?
5		A I was his case manager.
6		Q And he had a perfect record during his stay from
		standpoint of no shots?
7	the	answering that can I confer with the Judge
		the U.S. Attorney because there is an open
9	. or	
10		
11		A The privacy.  Q You are afraid you will violate the Privacy Act?
12		Q You are arraid you will bad a misconduct report.
13		A To my knowledge he never had a misconduct report.
14		Q And you recommended him for favorable considera-
15	ti	on for parole, did you not?
16	3	A That is correct.
1	7	MR. GARLAND: I think we can agree to stipulate
1	8 a	ny parts of these visitation records without this witness
1	9 h	aving to remain here.
1	20	THE COURT: If you want to offer some visitation
	21   1	ecords, they will agree.
	22	O Can an inmate take a door out of a dormitory
	23   (	or off a wall on his own, just on his own?
	24	A Can he take a door?
	25	Q Right, in the dormitory.

	1	men 5 n. williams cross
	2	A I will put it this way: It would be unauthorized
	3	but he can do it.
	4	And he'd get a shot for that?
	5	A He can receive a misconduct report for that.
	6	MR. GARLAND: Thank you, sir.
	7	(Witness excused.)
2	8	THE COURT: What is your schedule now?
	9	MR. NESLAND: We can recess now. I will begin
	10	with the next series of witnesses after the lunch period.
	11	THE COURT: What kind of witnesses do you have?
	12	MR. NESLAND: A few of them will be short. Then
	13	we may have to go into a hearing.
	14	THE COURT: Why don't we get rid of the short ones
	15	now?
	16	MR. NESLAND: We can't finish all of the witnesses
	17	that are scheduled before lunch.
	18	THE COURT: I see.
	19	Does it make any difference when we eat? Can we
	20	go to ten past 1 now?
	21	MR. NESLAND: Let me take a minute to check now.
	22	
	23	
	24	THOMAS W. SMITH, called as a witness, having
	25	been duly sworn, testified as follows:
	,	DIRECT EXAMINATION

•	۳	١.	•	•

## Korniloff - direct

Α	It is a memo prepared by my supervisor,
Ronald Caf	frey, reflecting the information myself and
Agent Sull	ivan obtained from Mr. Verzino during two brief-
ings we co	nducted relative to the Stassi investigation.

- Q And Government's Exhibit reflects what he told you at that time? Is that correct?
  - A Yes, sir.

MR. KADISH: May I see that?

THE COURT: That is already in evidence?

MR. NESLAND: Yes, your Honor.

- O At that time did Anthony Verzine tell vou that
  Tony Stassi and Joe Stassi were not involved in narco ics
  activities in Atlanta?
- A Yes, sir.
- Now, subsequent to those interviews were you present whenever he was interviewed again with respect to those narcotics activities?
- A Yes, sir.
- Q When was the first time he was interviewed to your knowledge after you had initially interviewed him and obtained the information that is present in Government's Exhibit 15?
  - A In March of 1975.
    - 0 Where was that interview conducted?

1	ms Korniloff - direct 1849
2	A At 1 St. Andrews Place in Manhattan.
3	Ω Who was present?
4	A Myself and Mr. Nesland.
5	THE COURT: You mean the man who is questioning
6	you now?
7	THE WITNESS: Yes.
8	Ω And Mr. Verzino? Is that correct?
9	A Yes, sir.
0	Q Would you please tell the Court and jury what
1	happened in that interview?
12	A During that time I was talking to Mr. Verrino
13	you came into the room and spoke to Mr. Verzino, asking
14	if he knew about a plot, a murder plot originated by it.
15	Joseph Stassi against a female believed to be first name
16	Susan, which was either his girl friend or an ex-wife.
17	Mr. Verzini said he didn't and inquire more specifically
18	about what you just said.
19	At that time you told him that you had a
20	report you had received from an informant, a reliable
21	informant and had received this information. You then
2.2	left the room.
23	Q Was anybody mentioned to be a victim of that
24	contract other than Suzie?

Yes, William Sorenson.

1	ms orniloff - direct 1850
2	Q What has bened after that I left the room?
3	A Mr. Verzino became angry and started to tell
4	me that he could not believe that Mr. Stassi would do this
5	to him after he had been his friend at Atlanta, had
6	attempted to get him a lawyer when Mr. Verzino got out of
7	Atlanta, and just general discussion and explaining his
8	anger.
9	Q Did there come a time that I returned to the
10	room?
11	A Yes.
12	Q Approximately how long after I had initially
13	left?
14	A About 10 or 15 minutes.
15	Q Did he talk to anyone other than you during
16	that period of time?
17	A No, sir.
18	(Continued on next page.)
19	
21)	

1	mch 1 Kroniloff-direct 1851
T2 pm2	Q Did he call anybody?
3	A No, sir.
4	Q Were you with him the entire time?
5	Λ Yes, sir.
6	Q What happened when you arrived back into the room?
7	A Mr. Verzino stated that then told me that
8	Joseph Stassi was involved with him in the Atlanta trans-
9	actions.
19	Q Did an interview occur then?
11	A Yes, sir.
12	Q Would you please tell the court and jury what
13	Anthony Verzino said at that time?
14	A Mr. Verzino said that in March of 1972 he was
15	approached by a fellow inmate in Atlanta by the name of
16	Otvos. Otvos explained to him that he had connections in
17	France to smuggle or bring large quantities of narcotics into
18	the United States. Mr. Otvos inquired of Mr. Verzino whether
19	he was interested in participating in a transaction with him
20	Mr. Verzino said that he was and later contacted Joseph Stass
21	and advised him of the information Otyos had given him.
22	Stassi, in turn, expressed an interest in the transaction
23	and they later planned and also contacted Joseph Stassi's
24	brother, Anthony Stassi, who was not in Atlanta at that time

to act as their go-between.

They also had informed Anthony Stassi of this impending deal and arranged for Mr. Stassi to go to France and contact Otvos' people or connections in France.

Mr. Verzino also related that he also conferred with Mario Perna and advised him of the impending transaction and he arranged with Mr. Perna to contact William Sorenson or have William Sorenson contact the customers on the outside for the narcotics when they arrived back into the United States. They also supplied Mr. Sorenson wit. a customer list that Verzino and Perna prepared indicating who they thought would be prospective customers.

Some time between March and the end of the summer or 1970, I believe, Joseph Stassi again contacted. Anthony Verzino and told him that his brotherr, Anthony Stassi, had indeed gone to France and contacted Otvos' confederate and finally in November of 1970 Joseph Stassi again told Anthony Verzino that a ship did finally arrive in the United States of about 90 kilos of heroin. This was later confirmed or shortly confirmed when Verzino received a visit from his girlfriend Susan, I believe at that time O'Neil, and Susan advised him that she had been contacted by William Sorenson and given approximately 2 kilos of heroin one of which she had sold to her brother-in-law and one which she kept.

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Kroniloff-direct

Verzino then told us that he told his girlfriend that another shipment was a pected and instructed her to try and purchase part of that next shipment in order to increase the profits he was receiving for his services, and his girlfriend complied and shortly after her visit he was again advised by Joseph Stassi that this second shipment had arrived. Again this was concerned when Susan O'Neil visited Verzino at Atlanta and advised him that she was given another two kilos by William Sorenson and she had purchased an additional two kilograms. At that time or shortly after that visit Verzino arranged with Mario Perna to have Susan O'Neil sell those four kilos to Mario Perna's girlfriend, Cocita Suarez and related that they also expected a third shipment that same year, shortly before Christmas, but that transaction never transpired and that is the last he heard of the Otvos transactions.

He did relate that he also, when Mario Perna left
Atlanta, he gave Mario \$40,000 in remuneration for his participation in the deals.

MR. NESLAND: Those are all the questions I have of this witness.

MR. GARLAND: I request a limiting instruction to the effect that this testimony is not for the truth of it but in relation of what this man Verzino said.

SOUTHERN DE ICT COURT REPORTERS. 'S COURTE

His Sile.

Mastantuono-direct 2101 mmh 5 waiting. Confession is good for the soul. I am. I an't tell you what went on. When the case is all over, if you are 3 still curious about it, I will tel! you. Obviously, I can tell you now. There are certain procedures which in my cretion I could have had before the trial started or duri :: the trial. I figured it would take about an hour and a ha at the most, and I kept everybody here yesterday afternoon and thought we would be through early in the afternoon. I kept them here yesterday afternoon until about 7 o'clock 10 and we got here at 9 o'clock this morning. Stil! we d.dn . 11 get through. That is my responsibility, bad judgment. 59 1 12 apologize. 13 14 Bring in the witness. MR. NESLAND: Michel Mastantuono. 15 (Margarita Mensa was sworn as official French :6 17 interpreter.) 18 MICHEL MASTANTUONO, a witness called on 19 behalf of the government, being first duly sworn through 20 the interpreter, testified as tollows: (Testimony of witness given through official . 23 interpreter.)

BY MP. TESTAND:

DIRECT EXAMINATION

1	
1	mmh 10 Mascantuono-direct 2108
2	Q Who is the manager of the Chez Clairette?
3	A Andre Arioli.
4	Q While you were working at the Chez Clairette
/5	did you meet a man by the name of Edmund Taillet?
6	A Yes.
7	Q Approximatel; when did you meet Edmund Taillet?
8	A I had been there for about four or five months.
9	It was in 1969.
10	Q What was his occupation?
11	A He was in show business; he was a singer, an
12	impersonator.
13	Q Did he have another occupation that was earned about
14	after you had met him?
15	A Yes.
16	Q And what was that occupation?
17	A In the traffic of heroin.
V18	Q How did you learn that Edmund Taillet was in the
19	heroin traffic?
20	A Because he introduced me to some persons and he
21	made a proposition to me to do some work for him.
22	Q Whom did he introduce you to?
23	A Jacque Bec.
21	Q And approximately when were you introduced to
25	Jacque Bec by Edmund aillet?

1	mmh 11 Mastantuono-direct 2109
2	A It was five or six months after I began working
3	at the Chez Clairette. It must have been the end of '69 or
4	the beginning of '70.
5	O Do you recall what the conversation was that was
6	had between you, Edmund Taillet and Jacque Bec regarding
7	a proposition?
8	A Yes. He asked me to go to the harbor to pick up
9	a car.
10	Q Who asked you to?
11	A Taillet and Bec.
12	Q And what did you do?
13	A I said no.
14	Q Did he tell you what that car was about?
15	A No, but, in fact, I knew.
16	Q What did you know about that car?
17	A I knew to whom that car belonged. I also knew that
18	the car had been sent to France, had gone to Marseilles andhad
19	gone to Aix-en-Provence and then gone back to Montreal.
50	Q Did you know what was in that car?
.:1	Yes, sir, because I was aware of what Taille was
	involved with.
23	Q What was it?
21	A Traffic. BEST COPY AVAILABLE

Traffic?

1	mmh12	Mastantuono-direct.	2110
2	Λ	Heroin.	1
$\sqrt{3}$	Q	What was Jacque Bec's occupation legitimately?	?
4	Λ	He was a manager, an impresario.	1
5	Ō	Do you remember the group or anything he was t	he
6	impresar	io of?	
7	Α	Yes, the name of the group was Charlots.	
8	Ŏ	Did he have an illegal occupation?	
9	A	Yes.	1
10	Q	What was that?	
11	Λ	Traffic of heroin.	
12	Q	Directing your attention to May of 1970 did yo	ou
13	have occ	asion to receive a telephone call from Bec?	
14	A	Yes.	
15	7	Where were you and where was he when you recei	ved
16	the telep	phone call from him?	
17	A	I was in Montreal and he was in Paris.	
18	Q	Do you recall the conversation you had with Be	С
19	over the	telephone?	
20	Λ	Yes, he asked me if I wanted to go to Paris, i	f
21	I had a c	ear and wanted to go to Paris.	
	Ò	What did you say?	
23	Α	I told him that I did not have any car, but the	at
24	if he was	willing to pay for the plane ticket I would go	therb
25	Q	After you had that conversation did you go to I	Parist

1	mmh 13 Mastantuona dina
	Mastantuono-direct 2111
2	A Yes.
3	Q Did you meet anybody in Paris on that trip?
4	Λ Bec.
5	O Where did you meet Bec?
6	A He came to the airport.
7	Q What is the name of the airport?
8	A Orly Airport.
9	Q That is located in what part of France?
10	A Paris.
11	Q What happened when you get with Bec at Orly
12	Airport in France?
13	A He said to me, "We will talk about it later because
1-1	I have to go to a burial of somebody," and he went to the
15	burial of somebody.
16	THE COURT: Funeral?
17	THE WITNESS: Yes.
18	Q Where did you go after the two of you had gone
19	to the funeral?
20	A I went to the Hotel Villa De Fleur.
21	Q Did you go there with Bec?
.22	A Yes.
23	Q To your knowledge who owns the Hotel De Fleur
21	or who did at that time?
25	A The mother-: 1-law of Bec.

1	mmh 14	Mastautuono-direct 2112
2	0	What happened when you arrived at the Hotel De
3	Fleur?	
4	Α	A room was given to me.
5	Q	Who got you the room?
6	A	Bec.
7	Q	Did there come a time that you had a conversation
8	with Bec	concerning why he had brought you to Paris?
9	Λ	Yes.
10	Q	Did you have one or more conversation during the
11	time you	were in Paris at that time?
12	А	Certainly.
13	Q	Would you tell us what you recall of the substance
14	of the co	nversation you had with Bec at that time?
15		MR. KADISH: May we have the time, please.
16		MR. NESLAND: May of 1970.
17	A	Bec told me that he was not working with Taillet
18	any longe	r and asked me if I would be willing to purchase
19	a car and	to bring that car to Montreal.
:0	Q	Did you have any further conversation with him?
1	Α	Yes.
22	O	Please tell us what that was.
3	Λ	I said that I would think things over, that, first
!4	of all, I	wanted to go to Cannes because it was the film
5	festival t	there and my girlfriend was there, and then after

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went to the appointment and I met Bec. Bec took me to a parking lot and told me that the car was going to be there in one hour. I waited there and finally I went to pick up the car. Danielle meanwhile was shopping, was doing some shopping, and I went to pick her up, and there we went to Paris.

- O And you took the Citroen?
- A Yes.
- O Who was with you?
- A Danielle.
- Q Prior to that time had you had any discussion with Bec as to who had loaded the Citroen?
- A He told me that they were not the same people that were with Taillet.
  - Q Did he tell you who they were?
- $\lambda$  No. He mentioned somebody by the name of Max or Alex.
- e Did he tell you who Max or Alex was?
- A He told me that he was the mechanic who had preferred the car.
- O When you picked up the Citroen in the parking lot in Marseilles did you notice anything about the Citroen at that time?

1			1
1	mcs	Mastantuono - direct 2129	
2	A	It was Biarritz. It was not Marseilles.	
3	0	I'm sorry, yes, it was Biarritz.	-
4	Λ	Yes.	
5	Q	What did you notice?	
6	Λ	That it smelled of glue and the floor had been	!
7	somehow lif	fted.	
8	Ω	And you then drove to Paris with Danielle Ouimet;	
9	is that con	rrect?	i
10	A	Yes.	1
11	Q	Did you drive straight through?	-
12	A	Yes.	
13	0	Now long did it take you?	
14	λ	I remember that I had a flat tire. Nine, ten	
15	hours.		
16	O	What happened when you arrived in Paris?	
17	Λ	We went to a shipping company.	
18	Q	Do you recall the name of the shipping company?	
19	A	I believe the name was Transport Mondiaux.	
20	0	What did you do with the Citroen when you went	
21	to Paris?		
-3.5	Λ	We left it.	
23	Ü	Did you place it aboard or did you leave it to	
21	have it sh	ipped to Montreal?	
95	,	Yes.	

1	mcs Mastantuono - direct 2130
2	O And under whose name did you ship it?
3	A Danielle Ouimet
4	O What happened after you left the Citroen with
5	the shipping agency?
6	A I stayed there a few more days and then I went
7	back to Montreal.
8	Ω Did there come a time when you learned that the
9	Citroen had arrived in Montreal?
10	Λ Yes.
11	O Approximately when do you recall being notified
12	that the Citroen arrived in Montreal?
13	A It was approximately 15 to 20 days later, after
14	the car had been shipped.
15	Q Do you recall whether it was the month of
16	September?
17	λ I think it was September, yes.
18	O And please tell the Court and jury what happened
19	after you learned that the Citroen had arrived in Montreal?
20	Continue with that.
21	.A Bec arrived in Montreal and we changed the
22	plates of the car.
23	O Before you did that, how did You pick up the
24	car? Please explain to the Court and jury what
25	happened?

2131 Mastantuono - direct 1 mcs It was Danielle who went to pick up the car. 2 O Tell us what happened? 3 A I said to Danielle, "Listen, you are going to 1 pick up the car. You take the car out of the harbor area 5 and place the car in a parking lot. I will be waiting at 6 home. If in one hour you don't call me" -- I was waiting 7 in Andreoli's house -- "If in one hour you have not called 8 me, then just give me one or two hours time and then you 9 can say that it was me who had that car -- who had done 10 that with the car." 11 Did you finally receive the car from Danielle? 12 No. 13 What happened? 14 She drove the car all the way to Andre's house. 15 0 What happened at that time? 16 A Then, when Danielle arrived Andre was very upset 17 because Danielle told us that she had made a big fuss 18 about the fact that the car had been damaged and I said 19 to her "Are you crazy or what? This is not the time 20 to be screaming about damages to the car." 21 So then we went to the garage from there. We went to the garage in my house. 23 Where were you living at that time? 21 I was living with Danielle on Rue Saint Mat 2,

i	mcs Mastantuono - direct
2	Ω What happened after you took the car to Danielle's
3	apartment?
4	A We changed the plates of the car.
5	Q Who changed the plates?
6	Λ I did.
7	Q What plates did you change from and to?
8	A I changed the plates that were TTX, French
9	plates, into Canadian plates.
0	O Did there come a time that Bec arrived?
1	Λ Yes.
2	O Did you have a conversation with Bec as to what
3	was going to be done with the Citroen?
4	A Yes. He told me that it going he was going
15	to make a phone call to New York and that he was going to
16	make the arrangements in order to go down to New York.
17	Q Did he make telephone calls?
18	λ Yes.
19	O Did you have a discussion with him after he
20	made the telephone calls?
21	A Yes. He told me "I have" he said to me,
22	"I have called New York. It is okay. We are going
23	down to New York."
24	O Did you have any discussion as to where you
25	were supposed to do in New York with Bec at that time?

2138 1 mmh 1 Mastantuono-direct T3 2 Do you know the man's name at this time? 3 Yes, Andre is his name and eventually I learned 4 his full name. 5 0 What is his full name? 6 Andre Andreani. 7 Q What happened at the time you met Andre Andreani? 8 A He told us that he was not ready, "Let's go have 9 some coffee." And he told us not to talk at all because 10 we had French accents. So we consented to have some coffee. 11 0 In a coffee shop? 12 A Yes. 13 0 Who ordered for you? 14 A Andre Andreani did. 15 0 In what language? 16 A English. 17 What did Andre Andreani do fter he ordered for 18 you and Jacque Bec something in the coffee shop? 19 A He left and he came back to pick us up. 20 Q What happened at that time? ..1 A Then we left, and on the corner of the street --2.2 no, before that Andre told me, "I am going to go around. I 23 will call to you with the headlamps, I will signal to you 24 with the headlamps and then you will have to follow me." He 25

went to the corner and there was the gentleman who is there,

1 mmh2 2139 Mastantuono-direct 2 he is on the corner in the street. 3 By there, you are referring to Stassi? 4 Λ Yes. 5 And what did you see Andre and Stassi do at that 6 time? 7 A That gentleman here gave to Andre a brown paper 8 bag. They got into the Charger, into the car, and they drove 9 around, and finally they signaled, they made signals to me with the headlamps, and I followed them. 10 11 Who was in the Charger? 0 12 A That gentleman over there and Andre Andreani. 13 THE COURT: By this gentleman, you mean --14 THE WITNESS: Stassi. 15 THE COURT: Let's take a short recess. 16 (Recess) 17 BY MR. NESLAND: Q When we recessed you had testified that Stassi and Andre Andreani had gotten into the red Charger, driven 19 around the block and signaled you to follow them. 21 A Yes. So I left. I started off behind them. I 1.7 realized that there were other cars, other cars that pulled 23 out at the same time that I pulled out. 2: What kind of cars were those?

A

Cadillacs.

1	mmh 9 Mastantuono-direct 2146
2	A Yes.
3	O And who was it?
4	A The gentleman number 2.
5	Q What happened after you arrived inside the garage
6	at that house?
7	A Andre Andreani arrived and we took the Citroen
8	apart.
9	MR. NEWMAN: May we know who "we" is?
10	MR. NESLAND: I was starting to ask him the
11	question.
12	Q Please tell us from the beginning to the end what
13	you recall happening inside the garage and who was there
14	at different times, if anybody.
15	A Bec and Andreani and myself were in the garage.
16	In order to take the car apart
17	MR. KADISH: Did you say were or were not?
18	THE WITNESS: Were. We took the car apart.
19	Q How did you know how to take the car apart?
20	A Andreani and Bec had the layout, and then we dis-
21	mantled the car.
22	Q What did you dismantle the car with?
23	A We used the tools that were contained in the brow
24	paper bag that Mr. Stassi had given to Andreani. Andreani
25	gave me that paper bas and inside that paper bag there was

rection terminal by circles of

tape on top of it to repair the package.

0 Who repaire! the packages?

A The bags were made out of plastic and some of the

bags had been torn. So he had some tape and he would just place

SCHILLING I THE LOCAL STROKERS UNCOUNTY

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2148 mmh 11 Mastantuono-direct 2 Andreani. Could you see inside the packages? 3 Yes, we had the stuff all over us, because some 4 5 packages were torn. So we had the stuff all over us. 6 Describe what you saw. It was a white powder that looks like flour; it was 7 8 heroin. 9 Continue. What did you do after the bags were removed and given to Bec, who, in turn, gave them to Andreani? 10 Andreani was fixing up the packages and I said to 11 12 Andreani, "Listen, I need some glue and a screwdriver." 13 Andreani went uptairs to the house. 14 Q How did he get into the house? There was one door in the garage. 15 16 O Inside the garage? Yes. 18 What happened after? A He told me, "I will get it for you. "And he also 19 told me not to make too much noise, because there were people-20 in the house that were sleeping or something. Approximately 15 minutes later Mr. Stassi gave Andreani the glue and the 23 screwdriver.

O Did you see that?

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A Yes, in the garage.

548 mmh 12 Mastantuono-direct 1 Q What happened after that? 2 I cleaned the car, I used the wacuum cleaner. There 3 was a vacuum cleaner and I used the vacuum cleaner to clean 4 the car, and I also used some water to clean the car. 5 6 Meanwhile, Andreani and Bec were counting the 7 packages. I don't know exactly what they were doing, and 8 I got back into the car. I finished cleaning the car. 9 How did you clean it? With water? 10 A With a sponge. 11 What was the purpose of that? 12 Because they had some packages there that had been 13 torn. 14 What happened after you cleaned up the car? 15 A Andreani was counting the packages and he was 16 separating the packages and placing them in four different 17 suitcases. The number of kilos in each suitcase was different. 18 One would have 4 kilos and another 8 kilos. I don't understand 19 why, but that is what I saw.

Continue.

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A Finally I said to Andreani, "Can we go somewhere to wash our hands and then we can leave?" So we and through the door and there was a sink there and we washed our hands. Mr. Stassi was there. And we took the suitcases into this other room.

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mmh	1	- 4
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## Mastantuono-direct

- Q Meaning from the garage into the room where you washed your hands?
- A Yes, from the garage to the place where we washed our hands.
  - Q How many suitcases were there?
  - A Four.
  - Q What happened at that time?
- A I left. I said to Bec, "I am going to leave. close the door and I will be waiting for you in the driveway of the house."

I was waiting for Bec and then I saw Mr. Stassi and Andreani exit the house. They were carrying two suitcases each.

- Q Where were you when you saw that?
- A I was in front of the house, on one side of the house, on the driveway, the path that led to the garage.
  - Q Tell the court and jury what you saw at that time.
- A The man who was in the white Cadillac had stood up. exited the car and opened up the trunk in the rear of the car.
- Q Who was that man?
- A Number 2. They placed the suitcases inside.

  Andreani approached me and said to me, "Do you want me to go with you?" I said, "No, I will go by myself. I will find my way." And I left and I got lost.

. . .

mmin	15	Mastantuono-direct 2	152
	Q	And Bec was staying at the Hotel Taft?	
	Α	Yes.	ŀ
(	2	What happened at that time?	
1	۸	We waited to have the money brought to us.	We waite
there	and	finally Andreani came and brought the money	to us
(	)	How much money did he give you?	i
1	4	\$40,000.	!
C	2	From that figure were you able to determine	. 20
many k	cilo	grams of heroin you had delivered?	
A		40 kilos.	
C	)	Had you or Bec counted the kilograms of her	oin
when y	ou d	delivered them?	
Α		I think that Bec counted them, because both	of them
were c	ount	ing, I mean, Andreani and Bec.	1
Q		What did you do after you received the \$40,	0 0 from
Andrea	ni?		
Α		I went to the motel to pick up Danielle with	· ·
	0,00	0.	i
		Did you have any conversation with Bec as to	what ;
you wo	uld	do with the \$40,000?	1
Α		Yes. Bec said to me, "You are going to go ba	nck
now to	Mon	treal. I will meet you in Montreal and in Mo	ontreal
we wil	l sp	lit the money." So I went to Montreal and I	placed
the mo:	ney	in the spare tire of the car.	
	there  many in the second seco	Q A there and Q A Q many kilos A Q when you o A were count Q Andreani? A the \$40,00 Q you would A now to Mon we will sp	Q And Bec was staying at the Hotel Taft?  A Yes.  Q What happened at that time?  A We waited to have the money brought to us.  there and finally Andreani came and brought the money  Q How much money did he give you?  A \$40,000.  Q From that figure were you able to determine many kilograms of heroin you had delivered?  A 40 kilos.  Q Had you or Bec counted the kilograms of her when you delivered them?  A I think that Bec counted them, because both were counting, I mean, Andreani and Bec.  Q What did you do after you received the \$40,000 Andreani?  A I went to the motel to pick up Danielle with the \$40,000.  Q Did you have any conversation with Bec as to you would do with the \$40,000?

2154 Mastantuono-direct mmh 17 1 Who carried the money to France? 0 2 Danielle did. A 3 How did she carry it? 0 4 She placed it in her purse. Λ 5 What happened when you arrived in Paris? 0 6 Nothing. She carried the money. Λ 7 Did you finally give the money to Bec in Paris? 8 0 Yes, sure. 9 A Before I attract your attention to June, '71, how 10 often after you had made that last trip to France did you 11 make trips to France? 12 A At least 15 or 20 times. 13 And how often on those trips did you see Bec? 14 A Every time I would see him. 15 Q Did there come a time that Bec asked you to 16 purchase a gift? 17 A Yes, Bec said to me, "Michel, will you buy for me 18 in Orly Airport, which is a tax free shop, a lighter?" And 19 I said to Bec, "Yes, I have lost mine and I will get you one." 20 So I went to the shop and I purchased two lighters. He told 21 me that it was for an American buver. And I bought two 20

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lighters.

1	mch Mastantuono-direct 2195	,
2	Q Was she able to do that?	
3	A No.	
4	O After you were arrested in October, 1971, were	
5	you extradited to the United States here, to New York?	
6	A Yes.	
7	Q Was that approximately July of 1972?	
8	Λ Yes, July 21st.	
9	Q Were you extradited on charges here in New Yor	k?
10	A Yes.	
1	Q Were the charges for your delivery of a Ford	
2	Galaxy 500 containing heroin in February of 1971?	
3	A Yes.	
4	Q Were you also charged with delivering a Barrice	ıda
5	in New York containing heroin in August of 1971?	
6	A Yes.	
7	Q While you were in Canada awaiting the extraditi	on
8	were you incarcerated?	
0	A Yes, I was.	
0	Q When you were brought to New York did there com	e
1	a time that you agreed to cooperate with the United State	s
2	Government?	
3	A Yes.	
1	O And at that time or thereafter did the governme	nt
5	agree to dismiss the charges against you other than one?	

- 11	333
1	ms * * * * *
2	AFTERNOON SESSION
3	(2.00 p.m.)
4	(Jury in box.)
5	
6	THOMAS CALLAHAN, called as a witness
7	by the defendant Joseph Stassi, being first duly sworn,
8	testified as follows:
9	DIRECT EXAMINATION
10	BY MR. GARLAND:
11	Q Mr. Callahan, where do you live, sir?
12	A I am in Atlanta Penitentiary.
13	Q And how long have you been in Atlanta Penitentiary?
14	A Five years.
15	Q Are you serving a sentence?
16	A Yes, sir.
17	Q What is that sentence for?
18	A It is for conspiracy and the Dyer Act.
19	Q Conspiracy to do what?
20	A Rob a bank truck.
21	THE COURT: What is the Dyer Act?
22	THE WITNESS: Stolen automobile.
23	Q When will you be released from Atlanta
24	Penitentiary?
25	A About seven months.

1	ms2	Callahan - direct
2	Q	Do you know the defendant on trial here, Joseph
3	Stassi?	
4	A	Yes, sir.
5	Q	This man seated to the right here (indicating)?
6	A	Yes, sir.
7	Q	Do you know a man by the name of Anthony Verzino?
8	A	Yes, sir.
9	Q	How do you know Mr. Verzino?
10	A	He was in Atlanta Penitentiary.
11	Q	How was it at the penitentiary that you came to
12	know him?	
13	A	We worked in the prison library. We worked
14	together	in the prison library.
15	Q	Keep your voice up, please?
16	A	Yes, sir.
17	Q	What was the nature of the work that Mr. Verzino
18	did in the	e library?
19	A	He was an orderly and he took care of fish tanks.
20	Q	What was the nature of the work you did?
21	A	I was in the bindery and also an orderly.
22		THE COURT: Bindery?
23		THE WITNESS: Yes.
24	Q	What is the bindery?
25	A	Bookbinding. We bound prison books.

1	ms3 Callahan - direct 3031
	Q When did you work in the bookbindery.
2	A Well, from 371 until 1974.
3	Q Would you describe to us how the bookbindery
4	is located in reference to the library at the time at
5	
6	Atlanta Penitentiary?
7	A Well, it is part of the library; it is attached
8	to the library and it is an enclosed room.
9	Q Is the bindery inside the room that is the
10	library room?
11	A Yes, sir.
12	Q You go out of the door of the bindery, what is
13	immediately in front of the door at the bindery?
14	A The check out counter.
15	Q When you say the check out counter, what do you
16	mean, sir?
17	A To check the books out.
18	Q What is beyond that, beyond the check out
19	counter?
20	A The library proper.
21	Q And in the library proper are there places for
22	people to sit?
23	A Yes, sir.
24	Q Will you describe that area?
	A It is a lounge area, short lounge area on both

## 3052 Callahan - direct ms 4 1 sides of the aisle. 2 Are there racks of books in the library? 3 Yes, sir. 4 Did there come a time when you saw in the summer 5 of 1973 Tony Verzino in the library? 6 Yes, sir. 7 Did anything occur in reference to a pair of 8 glasses? 9 He left a pair of glasses in the bindery for 10 Joe Stassi. 11 Did he speak to you? Q 12 No, sir. A 13 What did he say to you? 0 14 When I saw Joe to give him the eyeglasses. 15 That was Tony Verzino? Q Yes, sir. A 17 What did you do then? 18 Well, subsequently Joe came in the bindery looking 19 for Tony and I gave him the eyeglasses. 20 Did Mr. Stassi say anything to you? 21 He asked for Tony and I knew that he was nearby 22 and I told him that and I gave him the eyeglasses. 23 What did Joe Stassi do after that?

Well, he went looking for him.

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Q You were convicted of bank robbery? Is that what you testified to?

1	ms6		Callahan - cross	054
2		A	No, sir, conspiracy.	
3		Q	Conspiracy to rob a bank?	
4		Α	Bank truck.	
5		Q	A bank truck?	
6		A	Yes, sir.	
7		Q	Was that with Thomas Kapatos?	
8		A	Yes, sir.	
9		Q	And he is a very good friend of Joe Stassi?	
10		A	I would judge they were.	
11		Q	You were in prison with them?	
12		A	Yes.	
13		Q	You have been there from 1970 until the prese	ent
14	date	?		
15		A	1971.	
16		Q	How often did you see Tom Kapatos and Joe S	tassi
17	toge	ther w	while you were in Atlanta?	
18		A	Well, I didn't see them daily. I did not h	have
19	occa	sion t	to.	
20		Q	When you saw them how often did you see them	?
21	Quit	e a bi	it?	
22		Α	Yes, sir.	
23		Q	Did you see Tony Verzino with Joe Stassi qui	te
24	a b	it?		
25		A	Yes.	

		3055
1	ms7	Callahan - cross
2	Q	And with Tom Kapatos?
3	A	Yes.
4	Q	Did you also see Mario Perna with that three-
5	some?	
6	A	Yes.
7	Q	Did you ever see Joe Condello with that three-
8	some or fo	
9	A	I would say so, once in a while.
10	Q	I take it you saw them out walking in the yard?
11	A	Yes.
12	Q	And talking?
13	A	Yes, sir.
14	Q	Now, until Verzino was released did you see him
15	with Joe	
16	A	Well, I would say I don't recall.
17	Q	After this incident that you testified about did
18	you see	Joe Stassi with Tony Verzino after that?
19	A	I can't say that I did or I didn't. I can't
20	say that	
21	Q	And you didn't see anything happen other than
22	what you	testified to here?
23	A	No, sir.
24		MR. NESLAND: No further questions.
oe.		THE COURT: Any questions by anybody?

	000
1	ms8 Callahan - 3056
2	You may step down.
3	(Witness excused.)
4	(Pause.)
5	THE COURT: You can't hold this delay against
6	the defendants.
7	MR. GARLAND: I will see what is keeping the
8	witness.
9	(Mr. Garland leaves the courtroom and returns.
10	MR. GARLAND: Your Honor, there is a delay with
11	the next witness.
12	THE COURT: We will take a short recess.
13	(Short recess.)
14	
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	1	meh Borman-direct 3057
T2A	2	LESTER BORMAN, called as a witness, having
	3	been duly sworn, testified as follows:
	4	DIRECT EXAMINATION
	5	BY MR. GARLAND:
	6	Q Mr. Borman, would you keep your voice up, please.
	7	Take over this way.
	8	A All right.
	9	Q Are you presently serving a sentence in the
	10	Atlanta penitentiary?
	11	A Yes, sir, I am.
	12	Q How old are you?
	13	A 33rd year.
	14	Q What are you serving a sentence for?
	15	A Bank robbery.
	16	Q And how much time do you have left on your setnence?
	17	A Approximately two years.
	18	Q Do you know the defendant Joseph Stassi?
	19	A Yes, sir.
	20	Q Do you know how he is referred to in the penitentiary;
	21	does he have a nickname?
	22	A Well, they call him "The old man."
	23	O And is that a common nickname for him?
	24	A Yes, sir, it is.
	25	Q In the summer of 1973, did you have occasion

1	meh Borman-direct 3058
2	to be in the library of the Atlanta federal penitentiary
3	and observe Tony Verzino?
4	A Yes, sir.
5	Q Would you tell us what you observed, what you saw?
6	A Well, Tony walked towards the back of the library
7	where this homosexual was.
8	Q What is the homosexual's name?
9	A I don't know his real name but they call him Sandy.
10	THE COURT: Call him what?
11	THE WITNESS: Sandy.
12	Q Did you see Mr. Verzino in the library?
13	A Yes, Sir, I did.
14	Q How was it that you happened to be in the library
15	that day and what time of day was it?
16	A It was in the summer, and it was in the afternoon,
17	and we went in there because that was one of the only
18	air conditioned areas at the time.
19	Q And who was there with you at the time if you recall?
20	A Joe Newman and Allen Anderson was there with me.
21	Q And what were they doing and what were you doing?
22	A We were all just sitting there and talking.
23	Q Now, tell us what you observed Mr. Verzino do?
24	A Well, he walked towards the back of the librar-
25	between the books. And a few minute's later Mr. Stassi came in.

and not directing it to anybody but asked if we had seen Tony and I said yes, I did.

Q After he asked that, what did Mr. Stassi, what did you say in response?

A I told him where Tony went and Joe said, "Thanks" and went that way.

Q Did anything happen thereafter?

A Yes, a few minutes later, you could hear a commotion in the back and Joe had sort of pushed Tony into the books, and books and stuff fell off the shelves in the back of the library, and Joe had said to Tony, "Stay away from me; keep away from me," something to that -- I can't remember the exact words. Tony grabbed him by the arm and they were still sort of arguing, not really fighting but there was a commotion going on back there, and then Joe was trying to get away from him to leave the library and Tony kept trying to hold on to his arm and Joe kept telling him stay away from me, I don't want anything to do with you, and then they left the library like that, and we left after a while.

O And what -- did you stay in the library or did you go out of the library?

A We stayed there talking, assuming that Joe had caught Tony doing something, you know.

	mah	00-
1	meh	Borman-direct 3060 cross
2	Q	Did you see anyone else come out of the library
3	in the ge	neral area?
4	A	Tony followed Joe out?
5	Q	Who?
6	Α	Tony Vaz followed Joe out.
7	Q	Did you see anyone else come out?
8	A	Not that I can remember right now.
9		MR. GARLAND: All right, that's all. Your
10	wi tness.	
11	CROSS EXA	MINATION
12	BY MR. NE	SLAND:
13	Q	Did you ever testify before?
14	A	No, sir.
15	Q	What was your sentence for the bank robbery
16	convictio	n?
17	A	15 years with an A2 number.
18	Q	Pardon?
19	A	15 years with an A2 number.
20		THE COURT: What's an A2 number?
21		THE WITNESS: That means you are eligible for
22	the Parole	e Board at any time.
23	Q	How well did you know Joe Stassi?
24	A	Not that well, I saw him in the institution a lot.
25	0	Pardon?

1	meh Borman-cross 3061
2	A I saw him walking in the yard. We didn't hang
3	out together, if that's what you mean.
4	Q Did you see him with Verzino?
5	A Yes. Ouite a few times.
6	O Did you know Tommy Kapatos?
7	A No, I don't.
8	Q You used to see Werzino and Stassi together, is
9	that correct?
10	A Yes, sir.
11	Q How long have you been in Atlanta?
12	A Four or five years.
13	Q Did you know Mario Perna?
14	A Yes, I did.
15	Q Did you see him with Joe Stassi?
16	A No. Not that much. I saw him once in a while in
17	the yard but not really with Joe that much.
18	Q How about Mr. Sorenson, was Mr. Sorenson in Atlanta
19	when you were there?
20	A Yes, but I don't really remember him that well.
21	O Is Mr. Newman a close associate of yours?
22	A Not close, no.
23	Q How about Mr. Anderson?
24	A No, not close.
25	Q You were just sitting in there?

1	meh	Borman-cross 3062
2	A	Yes, sir, in the library.
3	Q	Now, after that incident, did you have occasion
4	to see To	ny Verzino with Joe Stassi again?
5	Α	Not that I can really remember. I don't know,
6	because,	you see, Tony lef t just after that, it wasn't
7	much longe	er that he was there.
8	Q	Did you have any conversations after that with
9	Joe Stass:	i as to what had happened?
10	A	Yes, in the yard, and that was not too long ago.
11	. Q	I mean, you talked about it with Joe Stassi
12	recently h	before you came up here to testify?
13	A	Within the last six months.
14	Q	Pardon?
15	A	Within the last six months.
16	Q	And you talked about what you were saying
17	was going	to happen? Did you talk to him about this in-
18	cident?	
19	A	Yes, I did.
20	Q	Did you talk to Newman about it before you came
21	up here?	
22	A	Before we came up here? I believe I did, yes.
23	Q	Did you talk to Mr. Anderson about it?
24	А	Yes.
25	0	Before you came here to testify?

1	meh Anderson-direct 3064
2	MR. NESLAND: No further questions.
3	MR. GARLAND: No questions.
4	THE COURT: Any questions, gentlemen? You may
5	step down.
6	(Witness excused)
7	MR. GARLAND: Allen Anderson.
8	
9	A L L E N A N D E R S O N, called as a witness, having
10	been duly sworn, testified as follows:
11	DIRECT EXAMINATION
12	BY MR. GARLAND:
13	Q Mr. Anderson, will you speak up so the jury can
14	hear you.
15	A Yes.
16	Q Are you presently incarcerated in the Atlanta
17	penitentiary?
18	A Yes, sir.
19	Ω How long have you been there?
20	A Seven years.
21	Are you presently serving a sentence?
22	A Yes.
23	Q And when do you expect to be released on your
24	sentence?
25	A Possibly five more years.

3065 Anderson-direct 1 meh And what are you serving a sentence for? 2 A Bank robbery. 3 Q Did you have occasion in the summer of 1973 to be 4 in the library in the Atlanta penitentiary in the presence 6 of Mr. Lester Borman? 7 A Yes, I did. Q And on that date, how was it that you happened 8 9 to be in the library? A Well, another friend of mine, Joe Newman and 10 I were in the yard in Atlanta watching the ballgame, 11 and we left the yard to go into our quarters, and on the way 12 we decided to stop in the library and cool off, since this 13 was the only place that they had air conditioning in the 14 whole institution and you could freely go there, you know, 15 any time you wanted. 16 Q Where were you seated? 17 A Well, they have two different sections there 18 where you can sit. It is only partitioned off by a wall 19 and to the left and to the right of each door, when you 20 go in the door to the left and to the right, they have two 21 little sections with couches and chairs that you can sit, 22 and have the books that you read. Were you sitting to the right or to the left? 24

We were sitting to the right.

1	meh Anderson-direct 3066
2	Q That is, is that the right as you come in the
3	doo.:?
4	A Yes.
5	O All right. Now, while you were seated there,
6	did you have occasion to observe Tony Verzino?
7	A Yes.
8	Q Do you know Mr. Verzino?
9	A Yes
10	Q And did you have occasion to observe Joseph Stassi?
11	A Yes, I did.
12	Q Tell us what you observed Mr. Verzino do?
13	A Well, Mr. Stassi came over to us and asked
14	if we had saw Tony Vaz.
15	THE COURT: Tony what?
16	THE WITNESS: Vaz.
17	Yes. And I am not certain which ones told him
18	said yes, he was here a minute ago, standing right there
19	at the gold fish tank, you know, and I think he is around
20	by the book shelf.
21	So, Mr. Stassi left and a few minutes later he came
22	back and on his way back, Tony was in the back of h m follow-
23	ing him, and
24	Q Who was?
25	A Tony.

3067 Anderson-direct meh 1 Tony was following him? Q 2 Yes. 3 0 What happened then? 4 A It attracted our attention from the noise that 5 was made by some books that fell down, from the book shelf. 6 So as we looked, we saw Mr. Stassi leaving from behind 7 the book shelf and Mr. Vaz was behind him, was acting as if 8 he was to stop him and grabbed him, reaching out for him 9 10 and all. Q What did Mr. Stassi do when you saw that? 11 A He was getting away from him, and telling him to get away from him, he didn't want to be bothered. 13 Then what happened? 14 A They walked out of the library and we sit there a 15 few minutes, and a couple minutes later we saw another fellow 16 come from behind the book shelves. 17 Q Who was it that came from behind the book shelves? 18 A Well, I don't know his real name but he is referred 19 to as Sandy. 20 Q And did Sandy have any particular reputation in 21 the penitentiary? A Yes, he was known as a homosexual. 23 And did the library have any particular relation-24 ship to the conduct of homosexuals in the penitentiary? 25

1	meh Anderson-direct 3068
2	MR. NESLAND: Is this man testifying as an expert?
3	MR. GARLAND: I am not going to have him testify,
4	your Honor.
5	MR. NESLAND: If he is testifying as an expert,
6	I will have no objection.
7	MR. GARLAND: I can pass from it. It is not a
8	problem.
9	Q Did you thereafter leave the library?
10	A Yes.
11	MR.GARLAND: Your witness.
12	CROSS EXAMINATION
13	BY MR. SEAR:
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		3069
2bpm	1	me:mg _ Anderson-cross.
	2	Q Mr. Anderson, did you commit the bank robbery
	3	for which you were convicted?
	4	Λ No, I didn't.
	5	Q You did not?
	6	A No.
	7	Q And what was your sentence, sir?
	8	A Well, I have a 25-year sentence and a ten-year
	9	sentence, running consecutive to each other.
	10	Q A total of 35 years?
	11	A Yes.
	12	Q And is it true also that when you went into
	13	Atlanta you were serving other state sentences?
	14	A No, it isn't.
	15	Q Isn't it true that you were convicted for bank
	16	robbery in the state for which you received 12 to 15 year.
	17	A This was after I was in Atlanta, yes.
	18	Q And the sentence you received was a 12 to 15-
	19	year sentence on that bank robbery also is that right?
	20	A No, sir. I received the first sentence I re-
	21	ceived was a 25-year sentence, in the federal court, and the
	22	second sentence I received was a 10-year sentence in the
	23	federal court.
	24	THE COURT: Is that the same transaction or a

25

different transaction?

Q Could you speak up?

1	me:mg 3 Anderson- cross
2	A Two people that I saw him with quite regular, but
3	other than that
4	Q Who were those two people?
5	A Well, one of them was Tony and another one was a
6	guy by the name of Tom.
7	Q Tommy the Greek? Tommy Kapatos? Does that ring
8	a bell?
9	A Kapatas, yes.
10	Q Did Mr. Kapatos and Mr. Stassi hang around a lot
11	together?
12	A Well, they wroked together and a lot of time
13	they ate together.
14	Q Did you see them out in the yard walking together
15	A Yes, I have.
16	Q Are you acquainted with a man by the name of
17	Mario Perna?
18	A I am not acquainted with him, no.
19	Q Do you know who he is?
20	A Yes, I know who he is.
21	Q Did you ever see Mr. Stassi and Mario Perna to-
22	gether?
23	A I couldn't say right offhand, no.
24	Q How about Joseph Condello, Joey Condello, do you
25	know him?

3072
me:mg 4 Anderson- cross
A I don't know him by the name, but I know him if
I saw him.
Q Did you ever see Mr. Stassi and Condello and
other people together?
THE COURT: He said he didn't know him. He does
not know Condello.
Q How do you know that you know him?
A Well, I know by face. I know a lot of people in
Atlanta since I have been there.
Q You don't really know if you know him or not,
right?
A Not really, no.
Q Did you ever talk about this incident with Mr.
Stassi?
A Yes.
Q And when was the first time you talked with him
about it?
A Well, it was brought to my attention by him one
day, when I met him in the yard.
Q When was that? Wasit recently?
A No, not recently, no.
Q It wasn't within the last year?
A Oh, yes, it was within the last year, yes.
Q Was it within the last six months?

1	me:mg 5	Anderson- cross
2	A	I would say yes.
3	Q	Now up until then had you talked with anybody
4	about wha	t had gone on in the library that day?
5	Λ	Yes, I had discussed what had gone on in the
6	library,y	res.
7	Q	Eut you hadn't discussed it with Mr. Stassi?
8	A	No, I haven't.
9	Q	Did you discuss testifying here today with
10	Mr. Stass	si before you came in here?
11	A	Did I discuss testifying with him?
12	Q	Did you and him talk about the fact that you would
13	testify i	n this case?
14	A	Yes.
15	Q	And did you talk about it down in Atlanta?
16	A	That's where we was talking about it, in Atlanta.
17	Q	Have you talked with him about it since you have
18	been up h	nere?
19	A	No.
20	Q	Have you talked about it with Mr. Newman?
21	A	Yes.
22	Q	How about Mr. Anderson?
23	Λ	I am Mr. Anderson.
24	Q	Excuse me.
25		Mr. Borman?

Anderson-cross /redirect 3074 1 me:mg 6 2 A Yes. 3 MR. SEAR: No further questions. 4 REDIRECT EXAMINATION 5 BY MR. GARLAND: 6 Q When you spoke with Mr. Stassi about it, tell us 7 what happened when you saw him in the yard or you talked 8 to him some few months ago. 9 A He asked me if I remembered the incident in the 10 library when he came and asked about -- if any of us seen 11 Tony Vas at the particular time I didn't quite remember. 12 So we discussed it, you know, the incident, and he refreshed 13 my memory and I did remember very clearly. 14 Then I explained to him what I had saw, and what, 15 you know, I had observed. 16 Q Did he suggest to you in any way what you should 17 say? 18 No, he never suggested to me to say anything. A 19 MR. GARLAND: That's all. 20 THE COURT: Anything else? Any redirect? Any 21 recross? 22 You may step down. 23 Thank you. 24 (Witness excused)

11	
1	me, Mg 7 Newman-direct
2	JOSEPH LEROY NEWMAN, called
3	as a witness by defendant Joseph Stassi, being first
4	duly sworn, testified as follows:
5	DIRECT EXAMINATION
6	BY MR. GARLAND:
7	Q Are you presently confined in the Atlanta Peniten-
8	tiary, sir?
9	A I am.
10	Q And what are you serving a sentence for, sir?
11	A Assault.
12	Q Did there come a time in the summer of 1973 when
13	you had occasion to be in the library in the Atlanta Peni-
14	tentiary?
15	A Yes.
16	Q Do you know Tony Verzino?
17	A Yes.
18	Q What is he known as, and what was he known as in
19	the penitentiary?
20	A I didn't know him that well. I just knew him.
21	I don't know what he was known as.
22	Q Did he go by any nickname?
23	A Tony Vaz, that's what we call him.
24	Q Do you know the defendant Joseph Stassi?
25	A Yes.

1	me:mg 8	Newman-direct 3076
2	Q	Did you have occasion to be in the library and
3	observe Mi	. Stassi i nthe library?
4	A	Yes.
5	Q	Now, on that same day did you observe Mr. Verzino?
6	A	Yes.
7	Q	Who were you with at that time?
8	A	Allen Anderson and Borman, Les Borman.
9	Q	What were you doing?
10	A	Just sitting around, talking.
11	Q	And why were you in the library?
12	A	Well, at thattime it was the only air-conditioned
13	building	that we had where we could go when it was hot, to
14	kind of co	ool off.
15	Q	All right.
16		Now, did there come a time when Mr. Stassi came
17	into the	library?
18	A	Yes.
19	Q	And what happened when he came in the library?
20	A	Well, he asked us had we seen Tony Vaz and
21		What did you say? What did you say, if anything?
22		I told him yes, he was standing by the fish tank
23	a minute	ago.
24	Q	What did Mr. Stassi do then?
25	A	He walked off.

1	me:mg 9 Newman-direct
2.	Q Thereafter, did anything happen?
3	A Well, right after that we heard a commotion in
4	the back of the library, and when I stood up and looked
5	down, I seen Mr. Stassi coming back up the aisle with Mr.
6	Vaz holding his arm and he was pushing Mr. Vaz off and
7	saying, "Stay away from me or leave me alone" or something
8	to that effect.
9	Q Did anything happen when he pushed Mr. Vaz off?
10	A Some books fell on the floor.
11	Q What happened after that?
12	A Mr. Stassi came out and Mr. Vaz came out behind
13	him, and me and Mr. Anderson and Borman, we got up and fol-
14	lowed him out because it looked like it was, you know, a
15	fight or something, you know.
16	Q Did you see anyone else come out of the back of
17	the library?
18	A Yes, I saw somebody else
19	Q Who was that?
20	A Well, Sandy, that's all I know him by he is
21	a homosexual.
- 22	MR. GARLAND: That's all. Your witness.
23	CROSS-EXAMINATION
24	BY MR. NESLAND:
25	O You testified you were convicted for assault?

1	3070
1	me:mg 10 Newman-cross
2	Q That was for shooting a police officer in Washing-
3	ton, D.C., wasn't it?
4	A Yes.
5	Q And prior to that, had you been convicted?
6	A Yes.
7	Q You were serving time, is that correct?
8	A Yes.
9	Q And youhad escaped?
10	A Right.
11	Q And during the course while you were on the
12	lam on that escape, you shot a police officer, is that cor-
13	rect, when he tried to apprehend you?
14	A That's correct.
15	THE COURT: I take it since you were only convicted
16	for assault, I take it the police officer didn't die?
17	THE WITNESS: No, sir, he didn't die.
18	Q You talked to Mr. Newman I mean, Mr. Anderson
19	about this event, have you not, and Mr. Borman, about this
20	incident down in Atlanta?
21	A Not since we were told not to discuss our testimony
22	with anyone.
23	Q Well, you discussed it before then, is that cor-
24	rect?
25	A Well, I discussed it with Mr. Anderson, not Mr. Borman.

1	me:mg 11 Newman-cross
2	Q Did you discuss it with Mr. Stassi?
3	A Only when he asked me did I remember the incident.
4	Q Did you discuss it among yourselves as to what
5	had happened?
6	A I didn't have to discuss it. I knew what had hap-
7	pened.
8	Q How many people were in the library cooling off
9	that day?
10	A Well, it is usually not too crowded on the week-
11	ends, so I would say maybe around seven, eight, nine, some-
12	where around that figure.
13	Q Other than yourself, other than the three of you?
14	A Well, I am just giving you a rough figure now,
15	I don't know how many was in there.
16	Q Do you remember who was in there?
17	A Well, the Frenchma-, I saw a couple of Frenchmen
18	that I recognized.
19	Q Do you remember anybody else there?
20	A Not right offhand. The only reason I remember
21	the people that I am talking about is because of the incid-
22	ent.
23	Q Well, they are friends of yours, aren't they,
24	Mr. Newman? I mean Mr. Anderson and Mr. Borman?
25	A Well, Mr. Anderson, me and Mr. Anderson are friends

1	me:g 12 Newman-cross
2	Mr. Borman is just a guy doing time, he just happened to
3	be sitting there when we were sitting there, that's all.
4	Q Cooling off.
5	Now, how well have you known Mr. Stassi since
6	you have been in Atlanta?
7	A Well, I don't know him that well. I have seen
8	him around, but I wouldn't say I know him well.
9	Q When did you first go to Atlanta after you shot
10	the police officer?
11	A 1969.
12	Q And did you know Tony Verzino prior to this
13	incident?
14	A Just by sight, that's all.
15	Q Did you see him with Mr. Stassi a great deal?
16	A I have seen him with Mr. Stassi together, yes.
17	Q Did you ever see him with Stassi after that in-
18	cident?
19	A Not that I can remember.
20	MR. NESLAND: No further questions.
21	MR. GARLAND: That's all.
22	THE COURT: You may step down. Thank you
23	(Witness excused)
24	MR. GARLAND: The next witness, your Honor, is
25	Harold Robbins.

Will you tell us what the nature of your knowl-

Yes, sir.

A

24

	3002
1	ms2 Robbins - direct
2	edge of Mr. Verzino was?
3	A We had a relationship, a homosexual relations-ip.
4	Q Where did you work in the penitentiary?
5	A In the institution laundry.
6	Q Did you have occasion to do Mr. Verzino's
7	laundry?
8	A Yes, sir.
9	Q Did you do other people's laundry?
10	A Yes, I did many.
11	Q Would you be paid for doing it?
12	A Yes, sir.
13	Q Now when you would have your relationship with
14	Mr. Verzino where would it take place, sir?
15	A In the institution library.
16	Q Was Mr. Verzino the only person you had such
17	relationship with?
18	A No.
19	Q Did you conceal your fellow inmates the fact
20	you were a homosexual?
21	A No.
22	Q Do you recall an incident in the summer of 1973
23	in the library at the Atlanta Penitentiary involving Mr.
24	Verzino?
25	A Yes, sir.

- 1	
1	ms3 Robbins - direct
2	. Q On that day did you see the defendant Joseph
3	Stassi?
4	A Yes.
5	Q And where did you see him?
6	A In the library, at the rear of the library.
7	Q At the time you saw him what were you doing and
8	what was Mr. Verzino doing?
9	A I was standing; Mr. Verzino was on his knees.
10	Q What was going on?
11	A He had his mouth on me.
12	Q And at the time that happened did you see Mr.
13	Stassi?
14	A Yes, I did.
15	Q Tell the jury what happened?
16	A Well, I just looked at Mr. Stassi, I was standing
17	there, and Tony looked up and Mr. Stassi turned, and Tony
18	said, "Joe, wait a minute. I want to talk to you," and
19	he jumped up, and Joe started walking away, and Tony put
20	his hand on Joe and Joe pushed him off, and I stayed where
	I was, I didn't want to get involved, and they got out of
21	sight, out of view of me, and a couple of seconds later
22	I heard a commotion and I just stayed where I was, and
23	then when I did walk out I saw some books scattered on the
4	then when I did was

floor and they were going out the door.

1	ms4 Robbins - direct
2	Q After that did you have a relationship with
3	Mr. Verzino?
4	A No.
5	Q Now, prior to that time on how many occasions
6	had you had homosexual relations with him?
7	A This was our third get-together.
8	Q Thereafter did you have occasion to have a con-
9	versation with Mr. Verzino concerning this incident?
10	A Yes, that very same evening.
11	Q What happened? What did he say to you?
12	A He caught me in the yard after the account and
13	he asked me if I heard any rumers about what happened that
14	day in the library.
15	I said, "No, I heard nothing."
16	He said, "Well, if you do, deny everything."
17	I said, "Yes."
18	Q Thereafter did you have any further discussion
19	with him?
20	A Yes, on two or three other occasions he stopped
21	and asked me the same question, and I told him the same
22	thing, and then about a day or two before he was going to
23	leave the institution he caught me in the yard and he said
24	"Sandy, have you heard anything?"
25	I said, "No, really nothing, a few rumors."

1	
1	ms5 Robbins - direct
2	He said, "Well. if you hear anything definitely
3	deny it."
4	I said, "I certainly will."
5	And he said, "I know who is doing it; it is
6	Stassi, telling everybody that I am queer, and 1 am going
7	to get that son-of-a-bitch."
8	MR. GARLAND: Your witness.
9	CROSS EXAMINATION
10	BY MR. SEAR:
11	Q Mr. Robbins, who approached whom first? Did
12	you approach Mr. Verzino or did he approach you?
13	A Mr. Verzino approached me. He just asked me
14	if we could get together.
15	Q Then after he approached you you had these three
16	encounters in the library?
17	A es.
18	Q This was the third one?
19	A Yes, and final.
20	Q How much time previous was the first encounter
21	to the last one?
22	A A couple of weeks.
23	Q Did you know him prior to that?
24	A Casually.

XX

25

THE COURT: What?

1	ma6 Robbins - cross
2	THE WITNESS: Casually, to say hello and do his
3	laundry, as I stated.
4	Q When he approached you about this were you
5	surprised?
6	A No, not really, I was flattered.
7	Q Well, you may have been flattered, but were
8	you surprised?
9	A No, why should I be.
10	Q To your mind had you conceived of Mr. Verzino
11	as a homosexual prior to his approaching you?
12	A Well, I had my suspicions.
13	Q Why did you have your suspicions?
14	A It takes one to know one, they say. We can
15	spot cur own kind.
16	Q While you were in Atlanta did you see Mr.
17	Verzino and Mr. Stassi together at all?
18	A Yes, I observed them together. I never paid
19	that much attention to them.
20	Q Well, on a frequent basis? Regular basis?
21	A As I say, I didn't pay that much attention; I
.2	had seen them together.
23	Q Did you see them together after this incident?
24	A No, I don't believe so.
25	Q Whom else did you see with Mr. Stassi?

	300,
1	ms7 Robbins - cross
2	A I didn't notice anybody else.
3	Q Just Mr. Verzino?
4	A You mean on an overall
5	Q Yes.
6	A I seen a lot of people with him.
7	Q Who, if you know, were any of those individuals?
8	Did you see him with a Mr. Kapatos?
9	A I don't know a lot of people by their name.
10	I know them by nicknames or sight.
11	Q Do you know a man by the name of Tommy the Greek?
12	A I heard of him.
13	Q Do you know him? Do you know who he is?
14	If you saw him would you recognize him?
15	A As I say, I don't know for sure.
16	Q Do you know a man by the name of Mario Perna?
17	A Yes, I have heard that name, too.
18	Q Do you know who Mario Perna is if you saw him?
19	A I probably would, but I just don't recognize
20	the name. I had a lot of contact with people, did
21	laundry for a lot of people, but I didn't know them on an
22	intimate basis.
23	Q Who did Mr. Verzino associate with at the time
24	you knew him in Atlanta besides yourself?
25	A We didn't have a relationship of sorts where I

1	ms8 Robbins - cross
2	would know his personal business. We only had a brief
3	relationship. It was not even a relationship; it was
4	just a casual session thing.
5	Q Prior to that did you ever have any conversations
6	of any length with Mr. Verzino?
7	A Only for laundry and things of that nature.
8	Q But you didn't know prior to that time who Mr.
9	Verzino was friends with?
10	A No, not really.
11	Q Prior to coming here did you discuss your
12	testimony with various individuals?
13	A No, just the attorneys.
14	Q You discussed it with the two attorneys that
15	are sitting here?
16	A I gave them a statement.
17	Q Did you give them a written statement?
18	A Did you write it out or did they write it out
19 -	for you?
20	A I wrote it out and then they wrote it out them-
21	selves afterwards. I wrote out a written statement and
22	gave it to Mr. Kadish and then he had me state it all over
23	again in the waiting room when we were discussing it.
24	Q Were there any changes?
25	A Not to my knowledge. I might not have said

	ms9 Robbins - cross
1	every word exactly as I wrote it.
2	Q You made out a statement and Mr. Kadish made
3	
4	out another statement?
5	A He wanted me to tell him in my own words and
6	he wrote it out as I described it.
7	Q And then you signed it?
8	MR. SEAR: No further questions.
9	REDIRECT EXAMINATION
10	BY MR. GARLAND:
11	Q You wrote one statement in your handwriting?
12	A Yes, sir.
13	Q And you swore to that before a Notary Public
14	thereafter?
15	A Yes.
16	Q Then Mr. Kadish came with a Notary Public and
17	you swore to the second statement, did you not?
18	A Well, they both took place at the same time.
19	Q They related to the same things?
20	A Yes.
21	Q Did anybody suggest to you what you should
22	say?
23	A No, sir.
24	Q Is your testimony the truth?

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Yes.

1	ms10		Robb	oins	- cross			3090
2		THE (	COURT:	Any	further	question	ns?	
3		You r	may ste	p dow	m.			
4						(Witn	ess excus	ed.)
5		MR.	GARLAND	: 1	have or	ne witne	ss who is	here
6	and one wh	ho is	due to	be he	ere and	is now m	issing.	After
7	the next w	witnes	s, that	will	be the	last wi	tness for	the
8	day that	I have	availa	ble a	and read	y to put	on the s	tand.
9	They have	gone	down to	the	lock-up	to brin	g him up.	
10	That will	take	about s	even	minutes			
11		THE	COURT:	We 1	will tak	e a brie	f recess.	
12		(Rec	ess.)					
13								
14								
15								
16								
17								
18								
19								
20								

		* * * *
T-4 pm	1	me-1 Lacase-direct 3102
11/12/75	2	(In open court - jury present)
	3	JOSEPH M. LACASE, called as a witness
	4	on behalf of Defendant Stassi, being first duly sworn,
	5	testified as follows:
	6	DIRECT EXAMINATION
	7	BY MR. GARLAND:
	8	Q Mr. Lacase, are you presently confined to the
	9	Atlanta Penitentiary?
	10	A I am.
	11	Q And what sentence are you serving, sir?
	12	A I am serving a 15 year sentence for sale of
	13	narcotics to a federal agent.
	14	Q And when do you expect to be released?
	15	A In about seven months.
	16	THE COURT: When you say selling narcotics to a
	17	federal agent, you mean to a fellow who turned out to be a
	18	federal agent?
	19	THE WITNESS: No, sir, a federal agent.
	20	THE COURT: I know, but you didn't know it at the
	21	time you made the sale?
	22	THE WITNESS: No, sir.
-	22	THE COURT: That's what I wanted to know.
	24	THE WITNESS: No, sir.
	25	THE COURT: The crime isn't selling to a federal

1	me-2 Lacase-direct
2	agent. That's what I was trying to get at.
3	THE WITNESS: All right.
4	EY MR. GARLAND:
5	Q Where are you from, Mr. Lacase?
6	A New Orleans, Louisiana.
7	Q Is that your home originally?
8	A Born and raised there.
9	Q Do you know Tony Verzino?
10	A Yes, I do.
11	Q Do you know Mario Perna?
12	A Yes, I do.
13	Q Do you know the defendant on trial, Joseph
14	Stassi?
15	A Yes, I do.
16	Q Did there come a time in the summer of 1973
17	when you had occasion to observe Mr. Verzino outside of the
18	library inside of the Atlanta Penitentiary?
19	` A Yes, I have.
20	Q At that time did you have occasion to observe
21	Mr. Stassi?
22	A Yes, sir, I have.
23	Q Will you tell the jury what you saw?
24	A Well, we was at the top of the landing. You see,
25	the library is the only cool spot we had in the penitentiary

1 me-3

Lacase-direct

It was air conditioned. The only spot. So, we used to go in there and we came off the end there and I got a drink, and we came back out on the porch, me, the Greek, Frankie Vino, and we was talking there, and Joe Stassi came out the library door walking fast, and Tony Verzino came out right after him, and he was cursing.

THE COURT: Who was cursing whom?

THE WITNESS: Tony Verzino was cursing Joe Stassi, but Joe Stassi was walking away.

Q What was the words Verzino was using; what did Verzino say?

A Tony ran up and grabbed Joe by the arm and said, "Wait a minute, you old bastard. I want to talk to you."

Joe pulled his arm away, said, "Leave me alone, Tony. Just leave me alone." So, he walked away.

So, he kept on cursing--Tony kept on cursing Joe, but Joe was walking away.

Q What did you do?

A So, it looked like Tony was going to jump on the Old Man, so I didn't want to see that, so I told the Greek and Frankie, "Wait a minute. I'm going after him, because I'm not going to let Tony jump on the Old Man."

So, they was about 40 feet ahead of me, and I could hear Tony cursing Joe, but Joe wasn't answering him,

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Lacase-direct

2 kept on walking.

So, Joe made the corner of the mess hall going toward the block and Tony was behind him. By the time I got to the corner, Tony was coming back towards where the blocks were, but Joe was out of sight.

So, I said, "What's the matter, Tony?"

He says, "That old bastard," he says, "I would kill him if I could get away with it. I'll do something to him. I'll get even with him one way or another."

I said, "What's the matter?"

He said, "I'll get it."

And it was time for count. It was almost four o'clock count. So, he lived upstairs in the same dormitory with me. I lived downstairs.

- Q What happens at four o'clock count?
- A Everybody goes by their beds and they count, you know. So we counted.
  - Q Okay, now let me ask you something else.

Did you ever have occasion to discuss narcotics with Mr. Verzino?

A Yes. You see, Tony, he wanted me to see if I could bribe some longshoremens, or harbor policemens in the New Orleans area to smuggle the heroin off the ships. He said if I got four shipments in a year, that he would give me

me-6

## Lacase-direct

A In I think June of '72 when that Volkswagon came down, and around May or Jone of '73 when the camper came in with a load from Detroit through Canada again.

MR. GAPLAND: Your Honor, that's all the questions I have at this time of this witness.

THE COURT: Okay, do you want to break at this point?

MR. GARLAND: Yes, your Honor.

THE COURT: I want to see counsel at the side bar.

(At the side bar.)

THE COURT: Mr. LeBon tells me that the Forelady asked him whether or not Mr. Stassi, meaning Joe Stassi, I assume, was in jail at this time.

Mr. LeBon said, "Well, you can't discuss the case with me. You are not supposed to ask any questions."

That's the total of that conversation.

What, if anything, do you want me to do about it?

MR. GARLAND: Mr. Joe Stassi? I think your Honor should advise that he is in fact in jail at this time on a prior sentence, and I thought you did it at the beginning.

THE COURT: I think I did.

MR. GARLAND: I think the question ought to be answered.

THE COUPT: I won't refer to her question. I will

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(In open court; jury present.)

THE COURT: Good morning, ladies and gentlemen.

Incidentally, I am told that the Daily News has done some more research in the field of what they consider the heroin trade and I am told the headline indicates it so I assume if you saw it you won't read any further.

Also if you see anything about this case, read no further.

MR. GARLAND: At this time the defendant Joseph Stassi will take the stand.

THE COURT: You are interrupting your previous witness for logistical reasons?

MR. GARLAND: Yes, your Honor, because the marshals didn't bring him from the jail.

JOSEPH STASSI, called as a witness, having

been duly sworn, testified as follows:

DIRECT EXAMINATION

Y MR. GARLAND:

THE COURT: Mr. Stassi, I don't have to remind you this is a big courtroom.

THE WITNESS: Yes, sir.

MR. GARLAND: He has a low voice so we may have

1	eoh 2	Stassi-firect
2	some dif	ficulty.
3	c	What is your age, Mr. Stassi?
4	A	69,
5	Q	You, of course, are presently under a sentence
6	in the A	tlanta penitentiary?
7	A	Yes, sir.
8	Q	When do you expect to be released?
9	A	December. 14th, this coming nonth.
10	Q	Why will you be released at that time?
11	A	I made parole.
12	Q	Are you married, sir?
13	A	Yes, sir.
14	Q	What is your wife's name?
15	A	Frances.
16	Q	Where does she live?
17	A	1944 East 21st Street, Brooklyn.
18	Q	Do you have children?
19	A	Yes, sir.
20	Q	What are their names and ages?
21	A	Joseph, Jr., 35. Luann, 25.
22		THE COURT: What was the second one's name?
23		THE WITNESS: Luann.
24	Q	How long have you been serving a sentence in the
25	Atlanta	penitentiary?

lı.			* * * *	
1	eob	3	Stassi-direct	
2 .		A	Since June of '67.	
3		Q	That makes it some eight years and five months?	
4		A	Something like that.	
5		Q	During the course of your sentence, have you had	
6	with	in th	e prison any difficulties with the prison regula-	
7	tion	s or	violations of the prison regulations?	
8		A	None whatsoever.	
9		Q	If a man violates those regulations, what is that	?
10	Is t	hat w	hat is called a shot?	
11		A	They call it a shot.	
12		Q	Have you had a shot?	
13		A	You get discipline action.	
14		Ω.	Have you had one?	
15		A	No, sir.	
16		Q	In the penitentiary, would you tell the jury what	:
17	you	doj :	was and what your daily routine generally consists	
18	of?			
19		A	Well, my job was I worked what they called the	
20	chec		where the inmates come down to pick their laundry	,
21			et alteration on their clothing.	
22		, .	I operated what they call the button machine. I	
23	have	e beer	on the job since I got into Atlanta and been the	re
24			while that I have been in Atlanta.	
-				

When you say you operate the button machine, is

1	eoh 4 Stassi-direct
2	that to sew buttons on?
3	A Yes, on clothing.
4	Q What would your work day be inside the penitentiary?
5	A Well, from 6 o'clock in the morning, different hours,
6	until 9, 10 o'clock, sometimes earlier, sometimes later.
7	We have a lunch break. After lunch, back working
8	and 1, 2 o'clock we are through for the day.
9	Q Then what would your usual routine be?
10	A Oh, if the weather was nice, I would be out in
11	the yard. I would do a lct of walking.
12	Then we go back for the 4 o'clock count. Dinner.
13	After dinner back in the yard or the recreation hall, library
14	or I would be back in my cell. I do a lot of reading.
15	Q When you say you do a lot of reading, what is the
16	nature of the reading you do?
17	A Paperbacks, magazines, newspapers and so on.
18	Q When you say you go out in the yard, tell the
19	jury what the yard is like? What is the size of it is
20	and what you do in the yard.
21	A Well, the yard, I would say, it is at least 1,200
22	feet long. You have got two baseball courts in the yard.
23	One is softball court and a hardball court.
24	You have got handball courts. You have got tennis
25	courts. You have got weight lifting.

- 1	3133
1	eoh 5 Stassi-direct
2	Then you have got a ring inside where inmates run,
3	jog, walk.
4	The extent of my exercise was walking.
5	Q Did you do that on the ring?
6	A Well, both.
7	Q When you would be in the yard, how many inmates
8	would be out in the yard?
9	A You have got on the average of 22 or 25 hundred
10	inmates. It might vary, a hundred or so. Some days you might
11	see them all. There is always quite a few hundred. As I
12	say, certain days there would be a thousand or more.
13	Q Now, where did you a thousand or more out in
14	the yard?
15	A Yes, scattered around the yard.
16	Q Where did you dorm and live?
17	A I lived in what they call doghouse, D cellhouse.
18	Q Eld you have a particular cell there that you lived
19	in?
20	A Yes, sir.
21	Q Did you have a cellmate, a person who lived in
22	your cell?
23	A No, sir, by myself.
24	Q You lived alone?
25	A Yes, sir.

3134 Stassi-direct eon 6 2 Mr. Stassi, you are acquainted with the indictment 3 against you here, are you not? 4 Yes, sir. 5 You have read it? 6 Yes, sir. 7 And you understand it charges you with conspiracy 8 in entering into an unlawful agreement to bring heroin 9 i to the country and with possession and with bringing 10 it into the country. Are you guilty of that charge? 11 A I am not guilty. 12 Did you, sir, enter into an agreement with Mario 13 Perna, Tony Verzino or anyone else, Mr. Otvos, any defendant 14 here in this courtroom to bring heroin into the United States? 15 No, sir. 16 Did you at any time discuss or plan to have 17 killed Suzy Verzino, Tony Verzino or William Sorenson or 18 anyone, or Mario Perna or anyone else? 19 No, sir. I had no reason in the world to even 20 ever think of it. 21 Q You have heard the testimony from Mr.Perna 22 and from Mr. Verzino and from Mr. Condello wherein they

have testified that you had certain conversations about

conversations take place?

bringing narcotic drugs into the United States. Pit those

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1	eoh Stassi-direc	et 3135
2	A Nc .r.	
3	Q Did you ever have a disc	cussion concerning strychnine?
4	A No, sir.	
5	Q Did you ever have a disc	cussion with Joey Condello
6	as he testified to here on the day	he left the penitentiary
7	to put him to work in drugs?	
8	A Truthfully, I hardly know	ew Joe Condello. I know
9	who he is. To the best of my know	eledge, I have never
10	spoken to the man in all the time	I have been in Atlanta.
11	Q When you say spoken to t	the man, were you are
12	confined with many inmates	
13	A I have never had a conve	ersation with him. It
14	might have been that we passed one	e another and nod, hello,
15	that would be the extent. I had no	more knowledge of Joe
16	Condello than I have got of the 22	other hundred inmates
17	that is in Atlanta.	
18	Q When you would be in the	e dining hall, could you
19	control who you sat with?	
20	A No. I mean it is possible	e sometimes, the dining
21	hall sits about 700 inmates and de	epending when you go in,
22	you have got trouble finding a sea	t, so whatever seat is
23	vacant you just sit.	
24	Today you can be sitting with	one party and tomorrow

with someone else.

Stassi-direct 3136 1 eoh 0 You, of course, have spent many days there? 2 3 A Yes, many. Do you know Mario Perna? I know him. 5 6 When did you first meet him? Q 7 When I first got to Atlanta. 8 Tell the jury what the nature of your knowledge Q of him is and what association, if any, you had with him. 10 A No, I met Mario Perna at the same time I met Tony Verzino because we all locked in what they call A cell-11 12 block, which is where all inmates go when you first get 13 to Atlanta. They have got the large eight-men cell. We all locked in the same cellblock. I knew Mario but no more than anyone else. I never 15 16 was friendly with him outside again of hello, how are you, 17 but intimately, no. Q When you say intimately, would you describe to 18 19 the jury what you are talking about as a degree of associa-20 tion with somebody? What do you mean when you say that? 21 A I don't remember ever having a discussion, personal discussion with Mario. I used to watch the handball games 23 when there would be tournaments, Mario played handball. Many 24 a time walking back to the cellblock from the yard, we would

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all be going to our blocks, and you might join somebody walking,

a conversation with them directly, personally, no.

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(Continuing) But to actually say I ever had

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When he showed me the report, I was surprised. In his report there was a lot of information in his report

2 Atlanta.

Q Other than what you have just told us about Mr. Verzino, did you have many other friends that you spent much time with?

A No, not too many. I did with one, I recall Tom

Q Is that Mr. Kapatos?

A Yes, him and another young chap, Raymond

Mangiaracina, who worked with me all the while he was there

for six or seven years.

- Q Where did he work with you?
- A In the checkroom next to me.
- Q Other than those people --

Through the years there was two or three, ones
that I knew from the outside that were in Atlanta. Naturally,
I associated with them in the yard, we would get together.
But as far as the rest of the inmates, I knew most of them by
sight because I would see most of them, if I didn't see them
one day, they would be there the next day to come down and
pick up their laundry, get their daily towels and things.

So every inmate in the institution would be down in the checkroom practically daily. If they missed one day they would be down the next day. When they get down there, someone stop and talk to you. Some would want a button sewed

transcript?

- A Oh, he gave me an affidavit, a deposition.
  - Q Did you have attorneys that handled that?
  - A Yes.
- Q Thereafter did you succeed in your attack on your conviction?

before when you asked me about my co-defendants, on the information that came out at my hearing, they filed a motion, there was two of the co-defendants that were tried in front of another judge on the same indictment and when they filed their motion on the testimony that came out at my hearing, the judge reversed the conviction in his opinion that after reading the Stassi transcript of his 2255 hearing, there is no question that giving these men another hearing would be a waste of time and money for the government. I, therefore, vacate the sentence and release them to be released on bail, on \$5,000 bail, and for the government to try them within 120 days or dismiss the indictment. To my knowledge I believe it has been dismissed. They haven't been tried.

Q Did you contemplate taking additional action to try to set aside your conviction?

A Yes, I would have if it wouldn't have been for my parole. At the time I had action with my parole and I was having quite a problem.

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would always be talking wild and I would advise him that he was crazy, that he had better straighten himself out or he would wind up spending his days in jail because for a young fellow he spent half his life in prison.

would naturally exaggerate the importance of the crime,

ms2

J. Stassi - direct

for some reason, trying to show that they are big operators or what.

In these discussions Tony would be talking about what he done when he was outside and what he was going to do when he go out.

Q Did he ever mention any activities he had underway?

A Oh, he made it known that when he got out he was going right back into narcotics, that he was operating all the while that he was in prison.

Q When you say operating, did he go into more detail about what his outside operations were?

A No. He has lots of money, things were going good for him. he asked numerous times if I needed any help that he would be glad to help me. Then I kept telling him time and again, "Tony, you better straighten yourself out or you are going to wind up spending all your days in jail. You know, they are giving big sentences now, and if you go out and think you are going to do what you are thinking of doing, you must be crazy," or words to that effect.

Now, when he read your transcript was the name Mondolini in it?

A Well, Mondolini is one of the co-defendants

ms3

J. Stassi - direct

that was on my indictment.

- C Had you ever met Mr. Mc.aolini?
- A No, sir.
- O Ever known him?
- A No.
  - Q Ever had a contact with him?
- A No, sir.
- Q And in your prior case was Mr. Mondolini a Frenchman accused of being in narcotics?
- A He was a Frenchman, yes, but he never appeared in the trial as far as I know. I have never seen him.
- Q Did you have occasion to introduce your wife to Mr. Verzino?

Well, yes, in the visiting room quite often we were in the visiting room together when Sue Verzini, who was then Tony Verzino's girl friend at the time, she being at Atlanta visiting, and at the time naturally we nod to one another. It seemed that at one of the visits after visiting hours — the penitentiary is quite a distance from the airport — while out there waiting for a cab to get to the airport, Sue Verzino, Tony Verzino's wife, was on the way to the airport also, and my wife and Sue Verzino took the same cab to the airport, and evidently that started that friendship there. From then

т	Sta	ssi	-	di	-0	ct
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on any time they met in the visiting room and they stayed over, they would go out to dinner together evenings, and if they had occasion they would travel back and forth on the same plane, and a friendship developed.

Q Mr. Verzini, at the time that this friendship developed did he relate to you any involvement of his wife in his activities?

A No. I started hearing stories. I asked

Ton y about the stories I heard. I said, "You are not

using Sue?" He denied it at first. Then he admitted

it. He says, "She is the only one I got outside I could

trust."

I told him, "Tony, you got to be nuts."

Q Did a friendship develop between his wife and your wife?

A Yes, a friendship, and before I knew it, his wife being very fond of my wife and my wife looked on her, I would say, as a daughter.

- Q How old is your wife?
- A My wife is 60.
- O How long have you been married?
- A About 38 years.
  - Now, during the course of that time did Mr.

    Verzino become acquainted with the personal details of your

- direct

•		C	ta	C	C	1
	U	-	Lu	3	3	-

wife? Where you lived? Your phone numbers? Things like that?

and, naturally, he knew where I lived. I presume he would know my phone number, where I lived and all, yes, because many a time even up to the time that Tony Verzino was arrested and he called his wife, he would call my home when he could not reach his wife, Sue, he would call my home to find out if she was there, and ask my wife if my wife had any knowledge where Sue was.

Q Do you recall when Mr. Verzino left the penitentiary?

A Yes.

Q What occurred in the summer before his release in the library, Mr. Stassi?

A Must we go into that?

Q Well, just what transpired?

A I had two pair of glasses, the same frames.

One was a dark lens for sunglasses, and the other bifocals, which I would wear. My regular wearing glasses, the frame broke, and I needed them, because without glasses I can't see too well, and I know the frame with the dark lens was a good frame and it was the same fit for the lens,

	3148
1	ms5 J. Stassi - direct
2	wife? Where you lived? Your phone numbers? Things
3	like that?
4	A Well, his wife spent a lot of time at my house,
5	and, naturally, he knew where I lived. I presume he
6	would know my phone number, where I lived and all, yes,
7	because many a time even up to the time that Tony Verzino
8	was arrested and he called his wife, he would call my
9	home when he could not reach his wife, Sue, he would call
10	my home to find out if she was there, and ask my wife if
11	my wife had any knowledge where Sue was.
12	Q Do you recall when Mr. Verzino left the
13	penitentiary?
14	A Yes.
15	Q What occurred in the summer before his release
16	in the library, Mr. Stassi?
17	A Must we go into that?
18	Q Well, just what transpired?

A I had two pair of glasses, the same frames. One was a dark lens for sunglasses, and the other bifocals, which I would wear. My regular wearing glasses, the frame broke, and I needed them, because without glasses I can't see too well, and I know the frame with the dark lens was a good frame and it was the same fit for the lens,

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J. Stassi - direct

and I thought if I changed frames and changed lens to the good frame I would still have my glasses. And Tony Verzino is very mechanically inclined and I gave him the glasses, being he had different tools, screwdrivers, and being a good watch man, he could fix watches, and he was always carving ships and things, I gave him my glasses to change the frames of the lens, and he told me he would do it and that it would take him an hour or two, if I didn't see him he would leave them in the library.

Q At that time did he live in the same cell block with you?

A No, he lived in what they call the dormitory.

Tony Verzino and I never lived together, outside of when I first went in Atlanta for the first two, three months, we were in the same block.

Q That was in '67. But then he went to the dormitory, I went to D block. The two are separate. The only time I would see him would be out in the yard or down where I work when he come down, and I went up to the library, because I needed my glasses, as I said, I didn't have any at the time, just them. I went into the bookbinding and Tom Callahan, who worked in the bookbinding, I asked him if he had seen Tony.

"Yes, Tony was just here. He left this for

1	ms7 J. Stassi - direct
2	you."
3	And he gave me the envelope.
4	THE COURT: Gave you what?
5	THE WITNESS: He gave me the envelop with my
6	glasses.
7	Q Mr. Stassi, I hand you Defendants' Exhibit H
8	and ask you to examine that and ask you whether you can
9	identify it?
10	A Yes, these are the two frames. This is the
11	one that originally had my bifocals, which the frame broke.
12	This was originally the bifocals, and this was the sun-
13	glasses. And I had them change the lens into the good
14	frame.
15	Q Are those the glasses that you picked up in the
16	library?
17	A Yes, sir.
18	Q While you were in the library did you run into
19	Mr. Verzino?
20	A Yes, when I left Tom Callahan he told me he
21	was just there a few minutes before.
22	Q You heard Mr. Robbins testify here?
23	A Yes
24	Q Is that what happened?
25	THE COURT: I think you better have him tell

us his own story.

MR. GARLAND: Yes, your Honor.

A I come out, I was looking for Tony. There were a few fellows sitting there. I inquired if they seen Tony. They said, "Yes, he was just here a minute ago; he was near the fish tank."

Tony used to take care of the fish tank.

He was amongst the book racks and the fish tank. Then

I went through the aisles looking for Tony, and you walk

down the aisle and you can go around. And I went looking

for him among the books racks. I caught him in a homo
sexual act with Robbins, whom we call Sandy. He testified

yesterday. And all I can say is I just was shocked, sick,

I couldn't explain my feeling. You could not believe

what I had seen. When I have seen it, I just turned

around and walked out. He got up; he tried to talk to

me, stop me, and I just said, "Please, Tony, stay away from

me; leave me alone," words to that effect.

Then we walked out of the library and he kept in back of me trying to talk. I was just disappointed.

I kept insisting, "Just do me one favor, Tony, forget you know me."

That is about it.

Q What happened to your association with Mr.

2 Verzino after that incilent?

A Oh, we ignored one another. Gradually just before he left I was getting over my feelings. I figured, well, every man got his own life to live; I was not his keeper; I know I was disappointed. I really, whatever fondness I had for him, I still had some feeling for him. But it would never be the same again.

Just before, I think the night before he left

I seen him a minute, he talked to me, stopped me, and I

shook hands with him. I said, "Good luck to you."

That was it.

- Q Did you ever relate the incident in the library to your wife or discuss it with other prisoners?
  - A No, sir.
    - Q Why didn't you tell your wife about it?
- A One, I would be embarrassed to mention it to anybody. The fact is, I looked on him as a son.

  It would be like catching my own son, and this I didn't talk about, though the rumor was around the prison. I was asked by numerous ones what happened. They all seemed to know what happened, and I just passed by, "Oh, nothing."
- Q After Mr. Verzino was released from prison to your knowledge did he have occasion to visit your home with his wife?

phone call.

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A Well, his wife lived close to my home. She
got an apartment in what they call Brighton Beach, and
she spent a lot of time in my home. I would say she
practically had a bedroom, the use of one of the bedrooms,
and it would be common for her, which my wife gave me to
understand, that she practically had a key to my house.
Q While you were in the penitentiary did you have
an opportunity from time to time to be able to make phone

Calls to your wife?

A Yes, every other month you are allowed one

Q And would you regularly call your wife every other month?

A She is the only person I did call.

Q During one of those conversations did you have occasion to speak to Mr. Verzino?

A Yes, in one of the conversations when I called my wife told me that Tony was there and to say hello to .

him, or words to that effect, and I said, "Yes, put him on."

"Hello, how are you?"

That was the extent of that.

Q While in the penitentiary, Mr. Stassi, did you have a nickname?

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ms	J. Stassi - direct		3154
	A They would call me The Old Man.		
	Q You were one of the older people?		
	A Yes, I was one of the older people,	much	olde
than	the biggest majority of the inmates.		
	(Continued on next page.)		

1	ms	J. 9	Stassi - dir	ect		3154
2	2	A They would	d call me Th	ne Old Man.		
3		Q You were	one of the o	older people	э?	
4		A Yes, I wa	s one of the	e older peo	ple, much	older
5	than t	he biggest majo	rity of the	inmates.		
6		· (Continue	d on next pa	age.)		
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	1	eoh l Stassi-direct 3155
T4	2	Q Did you ever send any money to Mr. Tom Kapatos?
	3	A No, sir.
	4	MR. GARLAND: Your witness.
	5	THE COURT: Perhaps this would be a good time
	6	to take a short adjournment. See you in ten minutes.
	7	MR. GARLAND: Your Honor, I have one question,
	8	if I could have just a second.
	9	THE COURT: Would you resume your seats.
	10	BY MR. GARLAND:
	11	Q After your arrest on the charge of the narcotics
	12	case on which you are serving a sentence on, did you have
	13	occasion to be charged with another crime?
	14	A Yes, sir.
	15	Q What was that crime, sir?
	16	A Perjury.
	17	Q The subject matter of the perjury was what, sir?
	18	A In reference to a passport.
	19	Q At that time the statements that you made in
	20	reference to that passport, did you make them under the
	21	advice of counsel?
	22	A Yes, sir.
	23	Q Did you intend to violate the law at the time you
	24	gave those answers?
	25	A No, sir.

1	eoh 2 Stassi-direct
2	Q You have paid your penalty, have you not?
3	A Yes, sir.
4	MR. GARLAND: That is all, your Honor.
5	THE COURT: Ladies and gentlemen, ten minutes give
6	or take.
7	(Jury left the courtroom.)
8	THE COURT: Why don't we resume and have Mr.
9	Stassi on the stand when the jury comes in and I will come
10	in after the jury is in.
11	(Recess)
12	(In open court; jury present.)
13	THE COURT: You may proceed.
14	CROSS EXAMINATION
15	BY MR. NESLAND:
16	Q You had this friendship with Verzino from approxi-
17	mately 1967?
18	A Yes, sir.
19	Q Until his release until just before his release
20	from prison, is that correct?
21	A Yes, sir.
22	Q How often would you walk in the yard with Tony
23	Verzino?
24	A Well, whenever we were in the yard, if he would be
25	out there, we would be together.

1	eoh 3 Stassi-cross
2	Q Pardon?
3	A When I was in the yard, if he was out there,
4	we would be together.
5	Q Did you also walk with Tom Kapatos?
6	A Yes, sir.
7	Q Did you ever walk the yard with Mario Perna?
8	A No, sir, outside, as I said, when we would be
9	walking back to the cellblock, we would all be leaving the
10	yard and there might have been occasion when I would be walking
11	from the yard to the block, but never walking together.
12	Q You never walked around the yard with Mario Perna?
13	A No, sir.
14	Q You never walked around the yard with Joseph
15	Condello?
16	A No, sir, definitely.
17	Q You never had a conversation with Joseph Condello?
18	A No, sir.
19	Q And you never had a conversation with Mario Perna
20	other than to say "Hi, how are you"?
21	A Correct.
22	Q The only one you ever talked to amongst that group
23	was Verzinc?
24	A More than anyone else.
25	Q I am t asking you more t an anyone else. You

1	eoh 4 Stassi-cross 3158
2	never had a discussion with Condello?
3	A No, sir.
4	Q How about Danny Grillo?
5	A No, sir.
6	Q Was he a good friend of Kapatos'?
7	A I have seen them together.
8	Q But they were never together with you?
9	A Not Danny Grillo, no, sir.
10	Q Danny Grillo was never with you and Kapatos?
11	A Never as I say, at times maybe in the dining
12	room.
13	Q I am talking in the yard?
14	MR. GARLAND: Let him answer the question, please.
15	He cut off.
16	THE COURT: He is talking about the yard.
17	THE WITNESS: In the yard, no, sir. Outside, Danny
18	was also one of the better handball players in the tournaments,
19	I would watch a game and when they leave I might see him,
20	"How did you do, how was your game," but as far as any in-
21	timate conversations, no.
22	Q I take it that when you say you never had a conver-
23	sation with Mario Perna of any substance, that means up to
24	the present day, is that correct?
25	A What do you mean the present date, now or while he

A Since Mario left Atlanta, the first time I met him I was brought down to New York to be taken over to Newark to be questioned by the Drug Enforcement people. While in West Street I had occasion to talk to Mario and he went into detail just what happened, how he got arrested, how his friend

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Joe Condello, he called him exactly a prostitute informer that went out of his way to set him up, as he put it, that he framed him and he set him up for the arrest.

Also, he was cursing Tony Verzino saying that when he left Atlanta he meant to kill him. He is sorry that he didn't do it and he was only hoping that the day will come that he can catch up with Tony Vaz, that nothing would stop him from killing him and his wife.

- Q That is the conversation you had with him?
- A Yes, sir.
  - Q That is the first time you ever had a conversation of any substance with Mario Perna?
  - A That is all. I never seen him after that.
  - Q You never talked to him in Atlanta about anything like that?
- A No, sir.
  - Q He just in West Street decided to tell you about all that, is that correct?
- 20 A Right.
- 21 Q Did you meet Ernest Malizia while you were in 22 West Street?
  - A Yes.
- 24 Q He was lodged there?
- 25 A Well, he was there on the same case with Mario Perna.

1	eoh Sta ;i-cross 3160
2	Joe Condello, he called him exactly a prostitute informer
3	that went out of his way to set him up, as he put it, that he
4	framed him and he set him up for the arrest.
5	Also, he was cursing Tony Verzino saying that when
6	he left Atlanta he meant to kill him. He is sorry that he
7	didn't do it and he was only hoping that the day will come
8	that he can catch up with Tony Vaz, that nothing would stop
9	him from killing him and his wife.
10	Q That is the conversation you had with him?
11	A Yes, sir.
12	Q That is the first time you ever had a conversation
13	of any substance with Mario Perna?
14	A That is all. I never seen him after that.
15	Q You never talked to him in Atlanta about anything
16	like that?
17	A No, sir.
18	Q He just in West Street decided to tell you about
19	all that, is that correct?
20	A Right.
21	Q Did you meet Ernest Malizia while you were in
22	West Street?
23	A Yes.
24	Q He was lodged there?

Well, he was there on the same case with Mario Perna.

1	eoh Stassi-cross 3160
2	Joe Condello, he called him exactly a prostitute informer
3	that went out of his way to set him up, as he put it, that he
4	framed him and he set him up for the arrest.
5	Also, he was cursing Tony Verzino saying that when
6	he left Atlanta he meant to kill him. He is sorry that he
7	didn't do it and he was only hoping that the day will come
8	that he can catch up with Tony Vaz, that nothing would stop
9	him from killing him and his wife.
10	Q That is the conversation you had with nim?
11	A Yes, sir.
12	Q That is the first time you ever had a conversation
13	of any substance with Mario Perna?
14	A That is all. I never seen him after that.
15	Q You never talked to him in Atlanta about anything
16	like that?
17	A No, sir.
18	Q He just in West Street decided to tell you about
19	all that, is that correct?
20	A Right.
21	Q Did you meet Ernest Malizia while you were in
22	West Street?
23	A Yes.
24	Q He was lodged there?

Well, he was there on the same case with Mario Perna.

1	eoh Stassi-cross 3161
2	Q Had you known Ernest Milizia prior to that time?
3	A No, sir, never seen him in my life.
4	Q Never heard of him either?
5	A No, sir.
6	Q You never heard Verzino or Perna ever mention
7	his name while you were in Atlanta?
8	A No, sir. I heard a name Pontiac, which I later
9	found out that Verzino was one of the Pontiac brothers,
10	but I never heard the name Verzino, in fact, I didn't know
11	who Verzino was when I read the name in the indictment.
12	I inquired who is Ernie Verzino and someone
13	mentioned, he is one of the Pontiacs.
14	Q Ernie Verzino?
15	A Ernie, what's his name.
16	Q Milizia.
17	A Milizia.
18	Q You had never heard of him before?
19	A No, sir.
20	Q You never heard of his brother Pat?
21	A I said I heard the name Pontiac.
22	Q But you never knew who they were?
23	A No, sir, I never knew him, I never met him.
24	Q Before the indictment, is that what you are saying?
25	A I said I have heard the name of Pontiacs, but I

1	eoh Stassi-cross 3162
2	never knew who they were. I had never met them. I had no
3	knowledge, but I have heard the name, so when I met Milizia
4	in West Street, I had no idea that he was one of the Pontiacs.
5	Q Did you know after you met him in West Street?
6	A What's that?
7	Q Did you know after you met him in West Street?
8	A I heard that he was one of the Pontiacs.
9	Q Did you ever know he was in the narcotics business?
10	A Well, I heard he was arrested for narcotics, yes.
11	MR. GARLAND: Your Honor, I would like him to ask
12	when he heard these things.
13	Q When did you first hear that Ernie Milizia was
14	in the narcotics business?
15	A Well, he was arrested with Mario Perna and was
16	introduced to him and they were telling me they were both on
17	the same case.
18	Q When did this relationship between Frances Stassi,
19	your wife, and Suzy Verzino develop?
20	A I told you through the visiting room in the
21	Atlanta penitentiary.
22	Q I know where you testified it did, I asked you
23	when.
24	A Well, I got to Atlanta in December, '67. I would
25	say some time '68.

1	eoh Stassi-cross 3163
2	Q Suzy Verzino took your daughter Luann on a trip,
3	did she not?
4	A Suzy and my family became very friendly, very close.
5	Q And some time while you were in Atlanta Suzy
6	Verzino took your daughter on a trip to the Caribbean, diun't
7	she?
8	A Yes, she asked my daughter, she wanted to take a
9	cruise and would my daughter go along and my daughter did
10	go along.
11	Q Susan Verzino spent a lot of time with Frances
12	Stassi, isn't that correct?
13	A She was in and out of my house continuously.
14	Q Did you ever meet Albert Fierro?
15	A Albert?
16	Q Pierro.
17	A You mean the fellow they call Albaduce?
18	Q Albaduce.
19	A I met him in Atlanta.
20	Q For the first time?
21	A Yes, sir.
22	MR. GARLAND: Can we have when in Atlanta.
23	MR. NESLAND: I will ask the questions.
24	Q When did you first meet Albert Pierro in Atlanta,
25	if you recall?

A I think -- I would say yes, just before Verzino

Did he come to Atlanta while Verzino was still there?

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1	eoh Stassi-cross 3165
2	Q Do you know if Verzino knew him?
3	A Yes.
4	Q No question about that, he knew Albaduce?
5	A Well, I have seen them talk together.
6	Q You saw them together?
7	A Yes.
8	Q Now, did you know that Albaduce was in the
9	narcotics business?
10	A I knew he was there for narcotics.
11	Q But prior to that did you ever know that Albaduce
12	did you ever know Albaduce prior to that or ever hear of him?
13	A I never knew him prior to that in my life. The first
14	time I seen or heard of him was when he was in Atlanta.
15	Q When he came down for that narcotics conviction?
16	A Right.
17	Q Did you know Otvos?
18	A Yes, sir.
19	Q Did you know that Otvos was a friend of Verzino's?
20	A I knew they worked together in the library for years.
21	Q Did you know Otvos?
22	A I met him, yes, sir.
23	Q Did you know he was in the narcotics business?
24	A I knew he was in Atlanta for narcotics.
25	Q Did you ever have any discussion with Otvos

1	eoh Stassi-cross 3166
2	concerning narcotics?
3	A No, sir.
4	Q Did Verzino ever tell you that he had a narcotics
5	connection with Otvos?
6	A No.
7	Q He never told you that?
8	A No, sir.
9	Q When he discussed narrotics with you, did he just
10	simply discuss the fact that he had a narcotics operation
11	going on?
12	A He talked that he was dealing in narcotics, yes, si
13	Q Did he ever tell you who he was dealing with?
14	A I wasn't interested. I never really went into
15	detail.
16	Q Did he ever tell you?
17	A No, I have never had occasion, as I said, I
18	wasn't interested and I never went into it. Just that he
19	was dealing. He and Mario was dealing. They were partners,
20	they had something going and that is the extent of our talk
21	of narcotics.
22	Q He never told you any person other than Perna
23	that he was involved with?
24	A Not really. He mentioned different names, but I
25	don't exactly remember names that didn't mean anything.

1	eoh Stassi-cross 3167
2	I re ember one name, some people that were in Lewisburg.
3	He mentioned Little Herbie.
4	Q Who is Little Herbie?
5	A I don't know him.
6	Q You don't know anybody by the name of Little Herbie?
7	A Just that Tony Vaz mentioned his name.
8	Q You remember the name?
9	A Yes, I remember the name.
10	Q You don't know Herbert Catuno?
11	A No, sir.
12	Q You never heard of him?
13	A I heard the name Herbie Catuno now that you mentione
14	it.
15	Q Was that one of them he was telling you he was
16	involved with?
17	A Yes, sir.
18	Q You remember that now?
19	A Yes, sir.
20	Q How about Albaduce, did he tell you he was involved
21	with Albaduce?
22	A No, that he knew Albaduce. Just what the extent of
23	it was, no, sir.
24	Q He told you, though, that he knew Albaduce, is

that correct?

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eoh	Stassi-cross 3168
	A Yes, I presumed that much the way they were talking
that	they knew one another from outside.
	Q I may be wrong, but didn't y ' just testify pre-
viou	sly that the first time you ever heard of Albaduce
was	when he came down on his narcotics conviction?
	A I said yes. You asked me just now, I'm sorry, will
you :	repeat the last. I am a little forgetful at times, what
you	just said before that.
	Q I asked was if you didn't just previously testify
tha	he first time you heard of Albaduce was when he came
down	for his narcotics conviction?
	A What did you ask just before that, before I gave
that	answer.
	Q I asked you whether or not Verzino had ever

had ever mentioned Albaduce and you said hehad.

A I said after Albaduce got into Atlanta, he mentioned that he knew Albaduce.

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am	1	ms J. Stassi - cross 3169
	2	Q So he told you he knew Albaduce?
	3	A Yes.
	4	Q Did he tell you that Albaduce was in the
	5	narcotics with him on the outside?
	6	A No, he never went into saying he was in the
	7	narcotics business, but that he knew Albaduce, and I presume
	8	that Albaduce was in the narcotics business, being that
	9	he was convicted and was in Atlanta.
	10	Q But prior to the time that Albaduce came he
	11	never mentioned that he was in business with Albaduce,
	12	Verzino?
	13	A No.
	14	Q That was not one of the people he mentioned to
	15	you that was in his narcotics operation?
	16	A No, not that I remember.
	17	Q How about Ernie Malizia or the Pontiac?
	18	A No, sir.
	19	Q Never mentioned them to you?
	20	A No, sir.
	21	Q How about Mr. Sorenson? Bubby?
	22	A Bubby? Never had any discussion with Tony
	23	Verzino in reference to Mr. Sorenson.
	24	Q Did he ever tell you that he even knew Bubby
	25	Sorenson?

1	ms2 J. Stassi - cross
2	A I knew he knew him.
3	Q He never told you that Mr. Sorenson was on t
4	outside working in his narcotics operation?
5	A No, sir.
6	Q Never mentioned his name?
7	A No, sir.
8	Q How about your brother Tony?
9	A How could he mention Tony to me when there wa
10	no connection whatsonver between him and Tony Verzino?
11	Q There was no connection between Tony Verzino
12	and Tony Stassi?
_3	A No. What you are trying to prove in this
14	case
15	Q I know what I am trying to prove in this case
16	A That it stems through me that Tony Stassi met
17	Tony Verzino in reference to something that I am supposed
18	to have gotten together with Mr. Verzino, which that never
19	happened. So it would be humanly impossible for watern
20	Stassi to ever get together or talk to Anthony Verzino in
21	reference to any narcotics.
22	It is impossible that he did that?
23	A Oh, definitely, because I never made any such
24	arrangements.

Did Tony Verzino ever talk to Tony Stassi?

ms3

## J. Stassi - cross

A No. Maybe in the visiting room a new times
there "Hello" and "Good-bye," but never a conversation.
They never sat at the same table or anything to discuss
anything of any importance. I mean, it would be common
for my brother to come in to visit me or anyone else,
maybe people sitting around, that know one another, would
walk over and say hello to this party and that party.
So outside of the extent of saying hello, I mean, there
was never any occasion. My brother did not know Tony
Verzino to be friendly, to have any discussion of any kind
with him.

- Q And when Verzino left prison you never told him anything about seeing Tony Stassi, your brother?
  - A No, sir.
- Q Never gave him any telephone numbers for Tony Stassi?

Mo. The only telephone number I think I might have given, he was supposed to get some information for me in reference to my case, and I gave him a number of Mr. Isaac Franklin, a lawyer that does some work for me, that when he got this information to contact Mr. Franklin and relay the information to Mr. Franklin.

- Q When did that happen?
- A Oh, I would say during our discussion with

A Yes. And at the time he knew I was friendly

with Mr. Franklin, and Mr. Franklin is a lawyer living in

friends with him?

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J. Stassi - cross

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Florida. He asked me if I can get Mr. Franklin to check certain things out for this Lenny, to help him, see what he can do to straighten the case out. And I remember that time giving him Mr. Franklin's number to relay it to this Lenny's family or what, to contact Mr. Franklin, to see what Mr. Franklin can do to help this Lenny.

- O Is that all?
- A Yes, to my knowledge.
- Q Did Tony Stassi have a close association with Bubby Sorenson on the outside after Bubby was released?
- A I cannot answer that. I have been in Atlanta;
  I have not been outside.
- Q Did Tony Stassi visit you frequently during the entire time you were in Atlanta?
  - A Quite frequently.
- Q Did he ever mention to you that he knew Sorenson?
  - A I think he mentioned he seen him.
- Q He mentioned to you that he had been in touch with Sorenson or had any kind of relationship whatsoever?
- A No, sir, that he seen him, that Sorenson sends regards, say hello.
- Q He never told you that he was seeing him in Florida, that he was seeing him in New York?

1	ms6 J. Stassi - cross 3174
2	A He seen Sorenson. I got the message. He told
3	me he ran into him in Florida and he seen him around.
4	He had run into him at restaurants or at the race track and
5	that Bubby said to say hello.
6	Q But nothing else?
7	A No, sir.
8	Q And you saw Tony three or four times a month,
9	didn't you?
10	A Sometimes I seen him every week; sometimes it
11	would be a few weeks. I seen him.
12	Q He was coming down to report to you how the
13	narcotics business was going on?
14	A No, sir, there was no narcotics business, so
15	he couldn't report to me anything about the narcotics
16	business.
17	Q After he would come down you would go tell
18	Tony Verzino and Mario Perna?
19	A Mr. Nesland, I told you there was no such
20	thing; no such thing happened.
21	O And you say the same thing about your narcotics
22	conviction in 1967, don't you?
23	A If you want to go int detail I will be glad to
24	go into detail.
25	Tam just asking you? There was no narcotic

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	1	ms7 J. Stassi - cross 3175
	2	business going on even though you were convicted in Texas
	3	in 1967?
	4	A That is correct, and I can give you a reason,
	5	but we are not on trial for it. I would be happy to go
	6	into it.
	7	MR. NESLAND: May I have this marked the next
	8	Government exhibit.
	9	(Government's Exhibit 104 was marked for
	10	identification.)
xx	11	MR. NESLAND: I offer Government's Exhibit 104
	12	in evidence on the two theories which we advanced before.
	13	THE COURT: I will wait until I see it.
	14	Any objection?
	15	MR. GARLAND: Your Honor, this is a matter we
	16	went into. I have no other objection at this time.
	17	THE COURT: Except as heretofore raised?
	18	MR. GARLAND: Yes.
	19	THE COURT: The objection heretofore raised
	20	is overruled.
	21	(Government's Exhibit 104 was received in
	22	evidence.)
xx	23	MR. NESLAND: At this time I would like to
	24	read Government's Exhibit 104 to the jury.
xx	25	(Mr. Nesland reads from Government's

THE COURT: In mining?

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in mining.

with no corroboration whatosoever. I was interested

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THE WITNESS: 1 , in mining of properties. We were going in an agriculture deal, in a commission, in buying, importing and exporting out of season vegetables, fruit. This one part by the name of Milton Aberson come to me one day. He had options on mineral properties in Mexico and he talked to me, got me interested in this operation that he had. He wanted me to go to Mexico with him to look at these properties. And I told him at the time taking me down there to see these properties while I got no knowledge of mining, I am not a mining engineer or geologist, I could be standing on minerals here on the sidewalk, I wouldn't know, but I got an associate of mine, a Murray Sokoloff, who is a mining engineer and who has worked for the United States Government, for the Mexican Government, and I was interested with him in mines in Cuba.

I said, "As long as you are going to have somebody, let me see if I can get Murray, see if he would be interested in going down and looking at these properties."

I called Murray. He was living in Sarasota.

And I explained to him that this friend of mine has some options on some properties and that I had a sample of cooper that was very high grade percentage, and what I

explained to Murray, Murray said, what you are explaining sounds good, Joe, but you know what these things are, unless you go down and investigate and see, you never know."

I asked him would he be interested in going down. He says, "Yes. You know, I just got over a serious heart attack."

Murray is up in years. He said, "I am going to be in New York next week to see my doctor."

THE COURT: This is Murray talking?

THE WITNESS: Yes, Murray Sokoloff.

He says, "I will give you a call and I will see him."

So a few days later he got to New York, he called me, and I arranged an appointment for this Milton Aberson, Murray Sokoloff and myself.

Milton Aberson showed him the option he had on the property, that the option had, oh, about two, three weeks to run, and he seemed to be very anxious to get down to Mexico, and he showed this sample of copper, which was a very, very high grade of copper, and he explained to Murray. Murray looked at it. He said, "If it is anything what you say it is, if it half as good as you say it is, you have got something."

Milton Aberson was anxious to get right down there, but
Murray Sokoloff told him he could not leave right now, he
had to get back to Sarasota, he had certain things that
he had to clear up before he would be able to leave.

So he said it would take him four or five days to clear up
what he had to and they would get together. So he left
with the understanding that as soon as he cleared up his
affairs he would call and they would set a meeting, him
ard Aberson, to go down to Mexico.

The four and five days went by and Murray didn't call. The week went by, maybe ten days, and Aberson was getting very anxious, he wanted to know what was keeping Sokoloff, being that his option had only something like a week to run.

I called Murray Sokoloff at his home. He says, "I am glad you called, Joe. I was going to call you."

He says, "I will be ready to leave."

I said, "Fine."

Now, Aberson was driving down to Mexico, and that would be a four, five-day drive. Murray decided that he wanted to leave the next morning. So arrangements were made for Murray Sokoloff to take a plane to San Antonio, Texas, and that he would meet with Milton Aberson

at a hotel in San Antonio, Texas, and then from there drive in to Mexico, which they have done.

It seems when they crossed the border they had to stop to get visas. Also, besides getting visas they took some insurance policies out for themselves on the cars. The policies that was even to Mr. Aberson evidently he took them and he put them in the compartment of his car. Also, when you get a visa, they put a sticker on your car that shows you are allowed in Mexico for 60 days or 90 days, whatever the term of the visa is.

They went down to Mexico. Also, there was an appointment in Mexico City with a general of the Mexican Army who owned this mineral property. And I told them that I would meet them in Mexico City. They wanted me to drive down with them. I said, "No." I said, "I will take a plane and I will be there at the appointment."

At the time my son was there, who speaks fluent Spanish. I wanted him there as an interpreter.

When we got to Mexico City it seems that they were supposed to stop in Mandago, or some place like that, where the mine was situated. So for some reason or other Milton Aberson never stopped at the mine. Murray Sokoloff got sick. They drove straight to Mexico City.

When they arrived in Mexico City I already got there that morning. They arrived a few hours later.

We had to put Murray Sokoloff to bed, called the doctors for him. Also, the appointment was for that late afternoon when the general and his son came over to the hotel. The appointment had to be called off because Murray Sokoloff was in no condition to attend the meeting. It was put off for the next day.

when the next day come they met, and the general's son spoke some English. When they went into the details of the mine, the information that we got from Milton Aberson according to the general, the general denied he ever gave him that information or that he ever gave him that sample that Mr. Aberson claimed that he got from the mine; also, that the mine has not been in use for years, that it was soawed with water and all, that it would be quite a problem in clearing the mine of all this water that has accumulated through the years.

An argument developed between the general, an elderly gentleman, and Murray Sokoloff. There was some words with Aberson. And after listening to the general and his son and knew the information Aberson gave us was wrong, we lost interest in it.

The next day Mr. Sokoloff took a plane, flew

J. Stassi - cross

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back to Sarasot . Aberson said he was driving back to New York.

While there Murray Sokoloff, Mr. Aberson, was very friendly with a senior senator, Mexican senator, who was also a professor at the college in Mexico. He was a professor of geology and mining, and whose son was one of the world reknowned geologists that was working in Bolivia for the Government operating a tin mine.

He brought Murray Sokoloff to meet the senator. When Murray Sokoloff met the senator they had a lot in common. Murray Sokoloff at one time worked for the Mexican Government, with the result that they both were acquainted with a lot of people that they both knew, and they got along very good with the senator. And Murray was interested in certain minerals and asked the senator if he knew certain minerals existed in Mexico, being also that his committee was in charge of mining.

The semator told Murray that he believed there were certain minerals what Mr. Sokoloff was interested in, that to give him a week or two for him to check, and when he checked it out he would get together with Murray Sokoloff.

In the meantime Murray Sokoloff had a bauxite mine in Mexico, that he was a partner with one, Mr. Miller,

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that there was a mill and they were milling it in Houston, Texas. And Milton seemed to be anxious and wanted to see this mill, the operation of the mill. And he asked Murray Sokoloff if he would set an appointment up with Mr. Miller to take him through the mill and show him the operation, because that was one of the minerals that Mr. Sokoloff was interested in, to know there was any such mineral in Mexico.

And there was in mind the setting of a mill up to be able to mill the mineral. Murray asked me, and, as I say, we were disappointed and Murray didn't like Milton Aberson, and he explained to me, he says, "Joe, if I could make a million dollars with this fellow I want no part of it."

So he asked me what he should do about calling Mr. Miller. I said, "Well, call him and tell Mr. Miller not to go into too much detail."

Now, he wanted my son to drive back with him.

THE COURT: Who is "he"?

THE WITNESS: Milton Aberson. Murray

Sokoloff was going back to Sarasota; I was going back to

New York; my son was with me. Naturally, he was going to

go back to New York. But Milton Aberson asked if I

would allow my son to drive back with him to keep him

Attorney questioning you?" He says, "Don't you know Milton Aberson was arrested?"

I said, "What do you mean the United States

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I said, "What do you mean arrested?"

He said, "He was arrested in Houston with a suitcase of narcotics." He said, "They questioned me."

He says, "At first they were trying, they thought I was part of it." He says, "I finally convinced them who I was." He says, "They were satisfied."

He says, "During the questioning they wanted to know what my contact was with Mr. Milton Aberson? How did I happen to be with MIlton Aberson."

He said, "Through an associate of mine, Joseph Stassi. I said I went down there on a mining deal. When they heard Joe Stassi, " he said, "there was an interest shown."

He said that the Government tried to have him believe that his trip to Mexico was a camouflage, was false, it was a cover up for a narcotics operation.

Murray Sokoloff told him, "I know Mr. Stassi for years." He said, "My dealing with him has always been a hundred per cent above board, and that is what I went down there for."

They said, "Oh, no," that I was just a cover up. And Murray said, "I just want you to know they seem to think that the trip was just a cover up.". He says, "They also tried to implicate your

son, which I told them I would stake my life on Joseph, that there is no such thing."

He says, "I tried to convince them, but somehow or some reason," he says, "they seem to think you are suspect."

What happened is when this Milton Aberson was arrested and they searched his car, in the compartment they found these visas and insurance policies that were taken out when they crossed the border, and also seeing the visa sticker on the car, they asked him what he was doing in Mexico, and I believe Mr. Aberson gave himself an alibi or an excuse, went into detail that he was down there on a mining deal and "Who were you down there with?" and he named Murray Sokoloff, which was what they went down there was strictly for this mining deal.

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### Stassi-cross

T6 2 A (Continuing) That is how they come to question 3 Murray Sokaloff.

when Murray Sokaloff convinced them who he was, in fact, Murray Sokaloff was one that worked for the United States Government setting up the nickel plant in Cuba and got letters of merit from the United States Government for his work for them and when my name, that is how I got implicated in this case.

Milton Abramson was a third offender. What they had him on they could have given him 300 years. They had him on 23 illegal crossings, which calls for three years for each illegal crossing, which meant he could have gotten .

At the time he pleaded guilty, they dismissed all the indictments and charges to what they call a tax act, which called for a ten-year maximum.

operation, just what he said. He testified at the trial, out and out perjury, and he was asked, who his story was, that he got instructions from me to be at a certain motel; that there would be a certain car that would be there; that when he seen this car that I gave him a set of keys; that these keys would open the trunk of the car and he would find a package in this car; to take this package and take it in

1	eoh 2 Stassi-cross
2	his room and someone will be up there to pick the package up
3	When he was asked by the attorneys, what did
4	you do?
5,	He said he followed instructions. He seen the
6	car. He opened the trunk of the car. There was a package
7	there. He took it up in the room. Within a minute someone
8	came up there and said, Milton, he gave him the package.
9	Who did he give the package to?
10	I don't know.
11	What do you mean you don't know?
12	Oh, I only seen the party for a second.
13	Was it a male or female?
14	I don't know.
15	Was he tall or short?
16	I don't know.
17	Was he white, black?
18	I don't know.
19	Was he fat, skinny?
20	I don't know. I just seen him for a minute.
21	In other words, you mean was there a password or
22	was there some form of identification that you knew who you
23	were giving it?
24	As soon as the party came and said "Milton" I
25	gave him the package and was glad to get rid of it.

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#### Stassi-cross

Who brought the package over?

I don't know.

Well, when you are stuck with the answer, for three days he testified to that, he didn't know who he gave the package to or anything.

Now, at the end of the third day during recess in the court at Corpus Christi, Texas, in front of Judge Gaza we were called into his chambers by his clerk. We went into his chambers --

THE COURT: Who is "we"?

THE WITNESS: The lawyers, myself.

THE COURT: Lawyers on both sides?

THE WITNESS: Yes, were in there. Judge Gaza said, the government has got something to say.

When we got in there, the government said, you know, Milton is lying when he didn't say he didn't know who he gave the package to.

So after recess, Milton was still on the stand, he was asked by Mr. Forman, the lawyer, he said, getting back to the San Antonio incident, before the question was even finished, he said, oh, I was only kidding. I knew you knew the truth all the time.

Well, what is the truth?

Well, the party I gave the package to is some poor

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1	ech 3 Stassi-cross
2	Who brought the package over?
3	I don't know.
4	Well, when you are stuck with the answer, for
5	three days he testified to that, he didn't know who he gave
6	the package to or anything.
7	Now, at the end of the third day during recess
8	in the court at Corpus Christi, Texas, in front of Judge
9	Gaza we were called into his chambers by his clerk. We went
10	into his chambers
11	THE COURT: Who is "we"?
12	THE WITNESS: The lawyers, myself.
13	THE COURT: Lawyers on both sides?
14	THE WITNESS: Yes, were in there. Judge Gaza said,
15	the government has got something to say.
16	When we got in there, the government said, you know
17	Milton is lying when he didn't say he didn't know who he gave
18	the package to.
19	So after recess, Milton was still on the stand,
20	he was asked by Mr. Forman, the lawyer, he said, getting
21	back to the San Antonio incident, before the question was
. 52	even finished, he said, oh, I was only kidding. I knew you

Well, what is the truth?

knew the truth all the time.

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Well, the party I gave the package to is some poor

slob by the name of Archie.

It turns out Archie was sleeping in the room with him for two days. Then they both took a train back to New York and were together for a period of five days. For three days testifying that he only seen him for a second or two, they were together for five days.

Then he brought the package in. Then they both went their way.

On the case later on we come up with suppression, though I lost it, that the man that brought the merchandise in was one by the name of Oscar Hambrick, who was arrested and admitted his part of the transaction of bringing the narcotics in. He admitted his part. He was brought in front of a Judge Connolly in Laredo and was granted immunity for his testimony.

These other defendants that was on the indictment, they went to trial two years before I did, the government produced this Oscar Hambrick as a government witness in that case.

THE COURT: In their case, not in your case?
THE WITNESS: Yes, in their case.

A (Continuing) Two years later I went to trial,
Oscar Hambrick was suppressed from me completely.

FOLEY SQUARE, NEW YORK, N.Y - 191.1020

The same prosecutor that prosecuted me, a Mr.

Stassi-cross

Butler, was also the prosecutor in this other trial two years prior when he used Mr. Oscar Hambrick as a witness in that case. Yet at my trial, not knowing anything about Hambrick, he was suppressed completely.

Also, this Archie, the man he gave the goods to, was one by the name of Archie Randazza that was arrested and he come up with proof that when he was arrested he was found with narcotics, that the narcotics he was found with was part of his transaction in San Antonio, Texas.

Yet, when the government just told us that Abramson was lying, that he knew who he gave the package to, all they told us is Archie.

. Archie who? Where do you find Archie?

They never told us that Archie was Archie Randazza, who they knew and who was in prison at the time serving time for the narcotics that was found on him.

On that point we went back on a 2255 hearing. Mr. Abramson retracted his statement that he had lied. His promise was made, that the world was promised him. His own lawyers testified that a deal was made for him when Mr. Abramson testified at the trial of these other defendants two years before. He refused to testify at that trial and he asked for a lawyer and a lawyer was appointed by the court and the judge adjourned his testimony until the following day.

# Stassi-cross

A lawyer by the name -- I could be wrong on the name, but I think it is Miller -- was appointed by the court. He came over to see Abramson and he said, what seems to be the problem, the court appointed me.

He said, I would be a SOB if I am going to testify for the government.

He said, what do you mean?

mhe government made me a promise that they were going to give me four years, instead they gave me ten and I will be damned if I am going to testify for them unless they live up to their promise.

He says, my sole purpose was to negotiate a deal between him and the government. I was running back and forth. He says, finally, once from Washington came down with Milton Abramson. I came back to Milton Abramson and I told him I know Mr. Butler, Mr. Butler is a man of his word. If he makes a promise, he will live up to it.

Abramson told him, he says, no good, I won't take their word for anything unless they give it to me in writing.

He says, a letter was given to me in writing. He testified on it.

The lawyer, Mr. Clyde Woody, who represented Mr. MiltonAbramson when he changed his plea, that as in on the deal, Mr. Abramson admitted at the hearing that Mr. Woody was

Stassi-cross

part of the deal, but Mr. Woody on the stand admits that they went in the room and Milton Abramsom was talking to Mr. Butler and other agents, but that he wasn't paying any attention to just what they said, but when he was questioned by my lawyer and was stuck for an answer, he turned to Judge Connolly and said, Judge, Milton Abramson was in such a state of mind that morning that he would have testified against you, me or anyone.

Also, during the hearing when it came time for the letter, Judge Connolly told Mr. Harri; -- I think the lawyer's name is Harris. It was my mistake, I said Miller.

He said, Mr. Harris is an officer of the court,

1 accept the clarity or the veracity or whatever that a letter
does exist.

Agents testified that they never spoke to Mr.

Abramson. Two days later we come up with letters, proof,
that the same agents that testified on the stand that they
never spoke to Mr. Abramson, they come up with documentary
proof, and I don't know if you have got the transcript
of my hearing which will verify everything that I am saying,
that they were lying, that they were in constant touch with
Milton Abramson.

In fact, Milton Abramson, when he first got arrested, wrote a letter to Mr. Clyde Woody saying, Mr. Clyde

671 1 Stassi-cross Woody, Custom Agent I think Lurodi, has been in to see me 2 and has made me a very, very interesting proposition. 3 I would like for you to come see me so I can discuss the 5 matter with you. 6 Aberson was asked on the stand: Was any promises 7 made you? During the trial he denied any promises. 8 He said, they all promised me. They promised 9 10 have testified. 11

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me the world. He said without the promise, I would never On that I was denied, Judge Cawley denied the

hearing. I appealed the denial and we raised 15 points to my mind, they were simple points, as simple as 1 and 1

is 2. It was curious to see how it was going to be answered by the appellate court.

It was answered in two simple words: No opinion.

Q They affirmed the conviction, is that correct?

A Which meant -- I don't know if it is proper to say i your Honor, but what you got you could flush down the toilet.

THE COURT: Is that your answer?

THE WITNESS: That is my answer.

THE COURT: Perhaps this would be a good time.

We have only two more minutes.

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#### Stassi-cross

2	MR. NESLAND: I can wait until after lunch.
3	THE COURT: It seems to me a good time for a break.
4	Ladies and gentlemen, a quarter before 2.
5	(Jury left the courtroom.)

THE COURT: Gentlemen --

MR. KADISH: I have a matter that will take a second. May I state it?

THE COURT: Quiet please gentlemen.

MR. KADISH: There are two matters. I understand that the people who live in 19 and 23 Holly Place, a Mr. Maribella and his family and Mr. Boniello and his family, I understand that they were interviewed by some agents. I don't know if they were FBI or DEA or whoever in the last--

THE COURT: Please don't leave the courtroom.

MR. KADISH: -- in the last six months period,

I believe, or eight-month period.

Mr. Nesland disclosed to us that basic information in the Brady letter at the outset of this case. It would be my position, your Honor, that I am entitled under the Brady decision to the actual reports themselves to see the actual reports of interview. I don't see how that possibly can prejudice the government and I would like an opportunity to see the reports to see if I wish to call those agents to the stand.

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THE COURT: Why would that prejudice the government?

MR. NESLAND: Because I didn't write any report up.

I didn't have an agent write a report up. I have a few notes,

that's it.

MR. KADISH: Then his notes.

THE COURT: The notes of the interview?

MR. NESLAND: Right.

THE COURT: Why can't you show him the notes?

MR. NESLAND: As long as he knows they don't purport to be complete notes.

MR. KADISH: And the agent's name.

MR. NESLAND: Agent Bradley.

Mr. Maribella came down to see me. It seems to me, your Honor, they were certainly entitled to interview them because they told me an investigator interviewed them.

THE COURT: Show him whatever notes you had of whatever conversation you had with them.

MR. KADISH: The other matter, I brought out in the course of various cross examinations, the history of the related indictments involving some of the people like.

Astuto and Mastantuono were the same names.

When Mr. Stassi was first indicted on April 30, 1973, the court will recall that original indictment, that I appeared here on after it was unsealed. I understand there is

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2	also an indictment that followed that one 406, that was
3	405, and it is my understanding that the sealed indictment
4	406 relates to another transaction, that is, the station
5	wagon transaction. That is my understanding of it.
6	I would like the court first of all, I would
7	like to see 406. I understand it is still sealed.
8	THE COURT: The first I heard about it was from
9	the agent who testified.
10	MR. KADISH: That's right. I would like to see it
11	myself, but I understand, since it is sealed, the court woul
12	have to look at it first, but I am quite sure it is relevant
13	and I would like to introduce the document in evidence
14	in this case.
15	MR. NESLAND: They have the grand jury testimeay,
16	your Honor, that is sufficient.
17	MR. KADISH: No.
18	THE COURT: What is the indictment?
19	MR. NESLAND: The indictment is sealed for obvious
20	reasons.
21	THE COURT: Let me see the indictment. I will look
2.2	at the indictment.
23	I assume you know what it says?
24	MR. NESLAND: I know it.

MR. KADISH: I just ask the court to sec it.

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2	THE COURT: I will look at it in camera.
3	MR. KADISH: Thank you, sir. I appreciate i'. That
4	is all I have.
5	THE COURT: Anything further?
6	I assume you have a copy of the indictment, your
7	copy of the indictment?
8	MR. NESLAND: I don't know that I do, your Honor
9	I just know the indictment exists.
10	THE COURT: See if you have a copy of it. Otherwise
11	I will have to unseal the other one.
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13	(Luncheon recess.)
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AFTERNOON SESSION

(1.45 p.m.)

(In the robing room.)

THE COURT: I have read the indictment to which you referred. The Tovernment assures me it is a copy of it, and I accept that representation. I find it has no relevance to this case and, therefore, I don't get to the question of whether it should be unsealed for any other reason.

MR. KADISH: May I state what I believe the relevance is? One of the positions that we have taken with Mastantuono is that the relationship, prior relationship of a fellow named John Astuto and Astuto's involvement in other cars in the period of time from 1970 to 1971, is relevant, and I believe after reading the April 23 grand jury exhibit wherein Mr. Mastantuono identifies the picture of Astuto, which I have already brought out, I believe that that indictment in your hand is the end result of that grand jury testimony. I believe that that indictment deals with the Fiat station wagon transaction either vis-a-vis Astuto or vis-a-vis the Frenchmen who Mr. Viviani believed were involved in that transaction. I may be wrong, but those are my thoughts. I have interviewed Mr. Viviani and he has told me that.

THE COURT: Assuming everything you say to be true, you have the grand jury minutes. On that theory do you see anything that can be relevant as to what the grand jury did on the information before them?

MR. KADISH: I want to show by documentary evidence to the grand jury what the result was.

THE COURT: Assuming everything you say is true, I rule as a matter of law it is wholly immaterial in this case what the grand jury did with the evidence before it.

MR. KADISH: Note my exception.

MR. NADEN: I will explain why it might be relevant in terms of the question you just asked.

THE COURT: It doesn't make any difference what he testified to or what the grand jury did. On any assumption of fact you can think of, I still come to the conclusion that what the grand jury did is irrelevant.

MR. NADEN: I want to say something on it.

THE COURT: You can dream up any set of facts you can think of. What the grand jury dis in my ruling is irrelevant. You can't improve your record.

MR. NESLAND: Your Honor, I have asked defense counsel if I can have an agent in the courtroom and they have no Objection.

THE COURT: Name him?

MR. NESLAND: Juke.

As to Mistantuono, records are being sent, they are on their way down here or they are going to bring them down here, and what information I have, Mastantuono was in the infirmary from 11-19-71 to 3-7-72; he was in the infirmary and was given tranquilizers and sleeping pills.

Now, I don't know what the records will show, but they are on their way.

THE COURT: We will have that hearing at 9 o'clock Monday.

MR. GARLAND: I will have four witnesses and that is all I am able to go forward with. We have run into extreme difficulties at the jail talking to those people or trying to. I spent the lunch hour in the bullpen. I assume they will take the rest of the day, but after that, I will have no others today. I have not got muc are to go.

(Proceedings continued in the courtroom with the jury in the box.)

JOSEPH STASSI, resumed.

CROSS EXAMINATION (Continued)

BY MR. NESLAND:

1	ms J. Stassi - cross 3201
2	Q When we adjourned for lunch you finished your
3	testifying about what had happened in Texas. You were
4	convicted in that case of the charge of importing approx-
5	imately a hundred pounds of pure heroin, were you not?
6	A Yes, sir.
7	Q And that conviction was affirmed by the Fifth
8	Circuit Court of Appeals, was it not?
9	A Yes.
10	Q You attacked that verdict under a 225 motion?
11	A Yes, sir.
12	Q And that was denied?
13	A Yes, sir.
14	Q You appealed that to the Fifth Circuit Court
15	of Appeals?
16	A Yes.
17	Q And that was affirmed?
18	A Yes.
19	Q The conviction still stands, does it not,
20	Mr. Stassi?
21	A Right now, yes.
22	Q The source of that heroin was Paul Mondolini?
23	A I don't know, sir.
24	Q That was the charge, was it not, that Paul
25	Mondolini had supplied that heroin to you?

1	ms		J. Stassi - cross	3202
2		Α	Not to me.	
3		Q	For you?	
4		A	MR. Abramson.	
5		Q	But you were convicted of receiving that	
6	hero	in?		
7			THE COURT: We have had enough of that.	
8		Q	You testified you never met Paul Mondolin	i in
9	your	life?		
10		A	That is correct.	
11		Q	You have testified that after this incide	nt with
12	Verz	ino in	the summer of 1973 in the library you only	had
13	two	convers	ations with him, one to say good-bye and g	ood
14	luck	before	he left prison, and the other was on the	
15	tele	phone,	when you just said hello?	
16 .		A	That is correct.	
17		Q	And he was over at your wife's house?	
18		A	Correct.	
19		Q	And you never talked with him other than	that?
20		A	Not as far as I can remember.	
21		Q	You didn't want anything to do with him a	ny
22	more	, did y	ou?	
23		A	No, sir, I had no intention to.	
24		Q	Did you tell him that?	
25		A	Well, I told him that at the time of the	incident

1	πs J. Stassi - cross 3203
2	in the library.
3	Q And from thereafter you never had anything to
4	do with him?
5	A Yes, we sort of cooled off.
6	Q Pardon?
7	A We cooled off.
8	Q But you never had anything to do with him other
9	than those two conversations, to say hello and good luck?
10	A No, I would say right after that instance
11	we gradually run across one another and nodded, hello,
12	how are you, but the closeness of the friendship did not
13	exist any more.
14	Q After that did you ever ask him to do anything
15	for you?
16	A No. Before the library I did ask him, he was
17	supposed to get some information for me.
18	Ω Is that the information you were talking about
19	with Franklin?
ဆ	A Yes.
21	I am talking about after that incident did you
	ever ask him to do anything for you?
23	A No, not that I remember.

Never?

Never.

24

1	ms J. Stassi - cross 3204
2	Q How about when he was on the street for the
3	short few months he was on the street, did you ever ask hi
4	to do anything for you?
5	A I never had any occasion to be in touch with
6	him after he left, so it would be impossible for me to
7	ask him to do anything for me.
8	Q And so it would be your testimony that he
9	never did anything for you?
10	THE COURT: He didn't testify to that; he
11	said he didn't ask him.
12	Q Did he ever do anything for you to your knowl-
13	edge?
14	A No, sir.
15	Q Do you know a lawyer by the name of Stephen
16	Duke?
17	A Yes, sir.
18	Q Was he your lawyer in approximately 1973?
19	A He come down to see me.
20	Q Didn't Mr. Verzino take your daughter Lou Ann
21	Stassi up to meet Stephen Duke, so he could introduce her
	to Stephen Duke?
20	A I understand he drove my daughter up.
24	Q He what?

He drove my daughter up to see Mr. Duke.

1	ms · J. Stassi - cross 3205
2	Q Who asked him to do that?
3	A As I said before, the instance of the library,
4	he was working on my case, being acquainted with it, I
5	asked him to do certain things, but after the library
6	incident I didn't bother any more to ask him to lo any-
7	thing. It seems that he was over the house once , my
8	daughter was going to I sent my daughter up to see
9	Stephen Duke and it turned out that he drove up there.
10	Q Who did you learn this from?
11	A I learned it from my daughter and my wife.
12	Q Did you say anything to him about staying away
13	from Verzino?
14	A No, I never did.
15	Q And you never told him about that incident?
16	A No, sir.
17	Q Did Mr. Verzino ever express any hostility to
. 5	you at all?
19	A Not exactly, no, outside of the one time we
20	had a few words, and when I walked away he made a few
21	comments.
22	Q He made a few what?
<b>3</b>	A He made a few comments.
24	THE COURT: Comments.
25	THE WITNESS: That is about it.

	1	eoh 1 Stassi-cross
T2	2	Q From then on he at least was seeing your wife and
	3	your daughter, is that correct?
	4	A As far as I know, as I told you, his wife was very
	5	friendly with my wifa. I had no intention to explain any-
	6	thing to my wife or spoil their friendship between the both
	7	women, so my wife had no idea. As far as she knew, she
	8	probably thought I was still friendly with Mr. Verzino. He
	9	was over at the house numerous times to pick his wife up or
	10	drop his wife off at the house.
	11	Q You know that he went up to Yale to take Luann up
	12	to see Steven Duke, isn't that correct?
	13	A Yes, sir, I do.
	14	Q He did that for you?
	15	A Well, I would say that is the purpose he went up.
	16	Q You testified at the end of your direct testimony
	17	that you were convicted of a crime and that was in Florida.
	18	A Correct.
	19	Q And that was perjury, was it not?
	20	A Right.
	21	Q Were you guilty of that offense?
	22	A Well, the answer I gave, they was asking in refer-
	33	ence to a passport, yes or no, I gave the answer. I got
	24	punished for it.
	25	THE COURT: The question was whether you were guilty,

1	eoh 2 Stassi-cross
2	not whether you were punished?
3	THE WITNESS: Well, I was convicted of it, let me
4	put it that way.
5	O Did you lie; did you deliberately lie?
6	A No intention to deliberately lie. I was told
7	by my lawyer certain answers and by the answer I gave and
8	I said no and it was supposed to be yes and was indicted
9	for it.
10	Q You were convicted for it?
11	A Yes.
12	Q It was your lawyer's fault?
13	A Well, advice.
14	Q Did you attack that conviction?
15	A I was convicted of it.
16	THE COURT: He said did you attack the conviction?
17	THE WITNESS: Do you mean appeal?
18	THE COURT: Any way?
19	THE WITNESS: I appealed it, jes.
20	Q That was affirmed?
21	A Correct.
22	Q The statement you made was under oath before
23	a commissioner, was it not?
24	A Yes, sir.
25	Q You were convicted of deliberately lying to him?

charges were dropped to a lesser charge and the time he made

	637
1	eoh 4 Stassi-redirect
2	some comment, well, it seems that is the way to beat the
3	government. Cooperate with them and you beat them was one
ç	of the details where Mr. Abramson faced 400 years and then
5	returned for his cooperation or testimony, it was cut down
6	to a stamp act that would call for ten years.
7	Q Mr. Verzino, of course, knew you had been convicted
8	of that narcotics situation?
9	A Yes.
10	Q And he knew that you had been convicted of perjury,
11	did he not?
12	A Yes, sir.
13	Q And he knew about the charge of Montelione

- in your prior case?
- A Well, with my transcript, he would be acquainted with the facts.
- Q Mr. Scassi, you served eight and a half years on that sentence. Were you guilty of what you were convicted of, sir?
  - A On the conspiracy, no. sir.

16

17

19

20

21

22

23

- Q And has it been on your mind since that day?
- A Well, naturally it's been on my mind. I have had eight and a half years to think about it.
- Q The glasses that you have, the colored glasses, the dark glasses?

	2210
1	eoh 5 Stassi-redirect 3210
2	A Yes.
3	Q How long have you had them?
4	A Quite a few years.
5	Q Were they expensive glasses when you got them?
6	A I would say quite. More than the average.
7	Q Are they special lenses?
8	A Yes, prescription lenses.
9	Q Now, in your trial on the narcotics case, at the
10	time you were tried, had you already been convicted of perjury
11	in the other case?
12	A Yes, sir.
13	Q Did you take the stand in that case and explain
14	to the jury what you have said here today?
15	A No, on advice of my counsel, we discussed it. He
16	said being that you are convicted of perjury, I don't think
17	it would be a good idea for you to take the stand.
18	Q In your attacks on the conviction, were those
19	did you find that you had any way to attack what a jury
20	decides?
21	A Will you explain that, Mr. Garland, just what you
22	mean?
23	Q Did you appeal on issues of law or were you able
24	to attack on what a jury decided?

No, I was convicted by a jury and there was different

1	eoh 6 Stassi-redirect
2	areas, different information, different misrepresentations,
3	suppression.
4	Q You found out you can't appeal a jury decision,
5	didn't you?
6	MR. NESLAND: Objection, your Honor.
7	Q Decision what the facts are, your Honor.
8	MR. GARLAND: That is a rule of law.
9	THE COURT: Overruled.
10	I guess the answer is yes, isn't it, to what he
11	just asked you?
12	THE WITNESS: I know once you are convicted by
13	the jury, unless there is some points of law, you can't
14	appea1.
15	Q Now, the time you were convicted for the perjury,
16	in that trial did you take the stand?
17	A No, sir.
18	Q Your decision not to take the stand in that case,
19	would you tell the just why you decided not to take the stand
20	A Not that I didn't decide to take the stand. I
21	regret today that I didn't take the stand in both trials.
22	THE COURT: He asked you why you decided not to.
23	THE WITNESS: I didn't decide. I was advised by
24	the attorney.
25	Q Would you tell the jury some more about what the

talk about it. This was a question that came out of the clear

- 1	2212
1	eoh 8 Stassi-redirect 3213
2	sky.
3	Q Had you ever had that passport in your possession
4	A No, sir.
5	Q Had a passport been issued in that name?
6	A There was a passport issued in that name, correct
7	THE COURT: I don't understand you. I thought
8	you said you answered that question on the advice of an
9	attorney.
10	THE WITNESS: No, I never got any advice on that
11	question.
12	THE COURT: Then I misunderstood you.
13	Q I believe you did answer that question, I asked
14	you, did you answer that question on the advice of an
15	attorney. What did you mean when you gave the answer?
16	A No, just that it was a bail bond hearing, before
17	going in the lawyer told me he was going to ask certain
18	questions and what the answers he wanted to know what my
19	answers were that I would give.
20	When theon the passport, the question was
21	did a over have such a passport and the answer which I told
22	them was 30.
23	Q Had you reviewed that question and answer with

your attorney previously to your knowledge?

25

A Yes, I think we talked about that.

1	eoh 9 Stassi-redirect
2	Q At that time when you answered that question,
3	did you deliberately lie?
4	A No, I didn't deliberately lie because I had no
5	intention of lying on it.
6	Q Now, in connection with your sentence, did the
7	question of hearsay charges against you ever come into play
3	in connection with your parole?
9	A Will you repeat that again, Mr. Garland.
10	Q Did the question of hearsay charges against you
11	ever play any question in your parole?
12	MR. NESLAND: Objection, incelevant.
13	THE COURT: I don't see that that has anything
14	to do with what has been said on cother direct or cross.
15	Q Mr. Stassi, you have testified that you were not
16	guilty in the first narcotics trial.
17	A Yes.
18	Q You testified that you are not guilty in this
19	trial and that the testimony against you is false and was
20	false in the prior trial. Why do you say this has happened
21	to you?
22	A Firstly, I wish I knew. I know I have been a target.
23	That would be my best answer, everything that has come up
24	with my parole
25	MR. NESLAND: Objection, your Honor. Move to strike

1	eoh 10 Stassi-redirect
2	the answer.
3	THE COURT: If he thinks what happened in his parole
4	that he was a target, 2 will allow it.
5	Q Was there hearsay information placed in your file?
6	.A Oh, yes.
7	MR. NESLAND: Objection.
8	THE COURT: No, if he thinks it shows it is a
9	target, he may answer.
10	Q Did the court order that hearsay overruled?
11	A Yes, Judge Edenfield in Atlanta, Georgia, the
12	hearings was in front of him, there were different allegation
13	made against me and he ruled there was no place for these
14	allegations to be in and ordered them all struck off the reco:
15	and removed from my jacket.
16	Q Was Mr. Verzino familiar with the fact that that
17	hearsay existed against you in the government files?
18	A Yes, he was more familiar with my problems than I
19	was myself.
20	Q Did he ever discuss with you the fact that because
21	you were in jail and convicted of two prior crimes it would
22	he harder for you to defend yourself?
23	A Well, naturally, knowing I have been convicted
24	for perjury, that that would be held against me and a prior
25	conviction being up on a similar charge would be a difficult

prison talk or trying to impress and I told him that I

1	eoh 3tassi-recross 3217
2	honestly believed that he would be foolish. If he had any
3	sense, if he had any idea to just forget about it.
4	Q He knew he could turn to you when Otvos offered
5	to import that heroin and he did, didn't he, Mr. Stassi?
6	A You are saying that, Mr. Nesland.
7	MR. NESLAND: No further questions.
8	BY MR. GARLAND:
9	Q How is it, Mr. Stassi, that Mr. Verzino could
10	frame you?
11	THE COURT: That is sustained.
12	Q How is it that he could do and tell the story that
13	he told, your knowledge of it?
14	THE COURT: Excluded. We are not interested in
15	opinion.
16	Q In the penitentiary, how many people were in there
17	from France for narcotics?
18	A Well, as I say, more than 50 percent
19	THE COURT: No, from France. The question was
20	from France.
21	THE WITNESS: Oh, you are talking Frenchmen in the
22	penitentiary?
23	Q Yes, sir.
24	A Well, I am not too familiar with everyone, but
25	I would say there's been dozens of them

1	eoh Stassi-redirect 3218	
2	Q Now, at the time Mr. Verzino was in the prison,	
3	did he have occasion to discuss with you the Cirillo tria	1?
4	A He was always seemed to be pretty well up on	
5	present trials.	
6	Q Did he ever discuss with you Albaduce to your	
7	recollection?	
8	A Not until he come into Atlanta penitentiary.	
9	MR. GARLAND: That is all.	
10	MR. NESLAND: No further questions.	
11	THE COURT: I take it no one has any questions.	
12	MR. NEWMAN: I have nothing.	
13	(Witness excused)	
14	MR. GARLAND: I would like just a moment to speak	
15	to my client, your Honor.	
16	(Pause)	
17	MR. GARLAND: Your Honor, the next witness is	
18	Mr. Lacaze, who was on the stand.	
19	THE COURT: This witness' testimony was interrupt	ed
20	because he wasn't available when we started through no fau	lt
21	of anybody's in this room.	
22		
23	JOSEPH M. LACAZE, resumed.	
24	THE COURT: You are still under oath.	
25		

25

Tell me who he was friendly with, who did he associate with?

O Let's not talk about what Mr. Condello was doing.

You never saw him with Mr. Stassi, is that right?

A Now wait, you are trying to put words in my mouth.

A

0

24

25

Not --

## AFFIDAVIT OF PERSONAL SEKVICE

STATE OF NEW YORK,
COUNTY OF RICHMOND SS.:

EDWARD BAILEY being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at 286 Richmond Avenue, Staten Island, N.Y. 10302. That on the 30 day of June deponent served No. 1 St. Andrews Pl. NYC the within Appendix upon U.S. Atty., So. Dist. of N.Y. herein, by delivering a true Appellee the copy thereof to him personally. Deponent knew the person so served to be the person mentioned and described in said papers therein. as the Appellee

Sworn to before me, this 30 day of June

1976

Edward Bailey

WILLIAM BATTERY

Notary Public, State of New York No. 43-0132945

Qualified in Richmond County

Commission Expires March 30, Utitox 1977